

DIRECTOR, FBI - AIR MAIL

January 4, 1955

SAC, NEW ORLEANS LD

WILLIAM G. BANISTER
FORMER SPECIAL AGENT IN CHARGE

ATTENTION: Mr. L. B. NICHOLS
ASSOCIATE DIRECTOR

Mayor deLESSEPS S. MORRISON advised me on this date that he had been in contact with, and was considering Mr. Guy Banister, former Special Agent in Charge of the Chicago Division, for a position in the local New Orleans Police Department. Mayor Morrison stated that he desired to place Mr. Banister in the Number Three position in the Police Department where he would be in charge of investigations and training and was expected to be the liaison officer between the various Federal agencies.

Mayor Morrison stated he had been in contact with the Bureau, with the Superintendent of Police in Chicago, and with other individuals about the country in important positions who knew Mr. Banister by way of conducting an investigation concerning his background.

Mayor Morrison stated he had been confronted with problems for some time regarding the Police Department, most of which had arisen by an investigation by the Special Citizens' Investigating Committee under the direction of AARON KOHN, a former Bureau employee. He indicated confidentially that his move to get Mr. Banister in the Police Department was to counteract the publicity which had been afforded the results of the committee's investigation of the Police Department, particularly its releases to the press regarding Acting Superintendent JOSEPH L. SCHEUERING.

In this connection, Acting Superintendent SCHEUERING is now on trial, having been indicted by a local grand jury for malfeasance, and on January 3, 1955, he entered a plea of not guilty. Scheuering was indicted for his alleged failure to turn over to the District Attorney's Office a report on a burglary of the Katz and Besthoff Drug Store, 3100 Gentilly Boulevard, in January, 1952, which involved two police officers. Criminal District Court Judge J. BERNARD COCKE, following the arraignment of Scheuering yesterday, set his trial for 10:30 a.m. on Thursday, 1/5/55.

MPG:gp

100-11-202
SEARCHED
SERIALIZED
INDEXED

DIRECTOR, FBI
1/4/55

Although Mayor Morrison did not specifically indicate, I gathered from his conversation that he might possibly have an arrangement with Mr. Banister to eventually take over the Superintendency of the Police Department. Mayor Morrison explained that he could, under the city charter, have three men not under local Civil Service. To make arrangements for Mr. Banister, he was transferring the present secretary to the police department to the District Attorney's Office, and that Mr. Banister would take this position.

Mayor Morrison did not ask for an opinion concerning Mr. Banister's capabilities or whether this move by him would be for the betterment of the Police Department, but merely explained what he was attempting to do. He did feel that the Police Department had certain weaknesses which should be corrected; however, he felt that the leadership in the Police Department was very good, and that there had been much done in New Orleans to raise the standards of the Police Department. He was most complimentary of the Bureau and stated that he was most desirous of getting an experienced, well qualified, mature Bureau personality in the Police Department to further raise its standards and to correct the deficiencies which now exist. He stated he felt that by getting a man with FBI experience in the department in a key position, it would materially raise the esteem of the public toward the department, and accordingly, he was most hopeful that Mr. Banister would fill the position created.

New Orleans

January 21 1955

Director, FBI

[Redacted]
Police Department,
New Orleans, Louisiana
IDENTIFICATION DIVISION

b6
b7C

Recently the Identification Division returned to the Police Department of New Orleans, Louisiana, a number of arrest reports pointing out that disposition data appearing thereon could not be positively identified with previous information in our files.

The enclosed arrest reports were resubmitted by [Redacted] Assistant Supervisor of Identification, by letter dated January 10, 1955. A copy of his letter is enclosed for your information.

Since the Identification Division receives approximately 20,000 fingerprint cards a day, plus an enormous amount of miscellaneous correspondence, it is absolutely essential that we expend every effort to streamline our operations and seek uniformity if we are to give all contributors the best service possible. It is desired that you have an agent of your office, preferably one familiar with the operations of the Identification Division, contact the New Orleans Police Department in an effort to have this agency furnish disposition arrest data on our Form R-44.

There are a number of factors which could cause disposition data not to be identified when initially received from a contributor. In some instances the name varies from that given on the fingerprint card; previously furnished or a different arrest number is shown. In other cases the subject's fingerprints were never sent to us or it may be that such fingerprints were returned because they were illegible and not susceptible to complete classification. This latter situation occurred in connection with five of the enclosed arrest reports pertaining to [Redacted]

b6
b7C

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

On the basis of the fingerprint formula appearing on the attached additional arrest reports we are still unable to [Redacted] enclosures (4)

DL:djk
(4)

NOT RECORDED
46 JAN 25 1955

ORIGINAL COPY FILED IN

effect any identifications. If fingerprint cards were submitted on these subjects they were not received in this Bureau.

The main objections to the arrest report form used by the New Orleans Police Department for submission of disposition data are: (1) it is an awkward size causing handling and filing problems in our fingerprint records; (2) it contains details of the crime committed which are not necessary for our files; (3) because of the fingerprints on the form, confusion is caused as to whether this is arrest disposition data or new arrest information.

It is hoped that this agency will discontinue use of their arrest report form and utilize Form R-5, which we can supply them free of charge. However, if for some reason they are reluctant to do so, their views and objections should be furnished to us in detail by you in order that the matter can be afforded further consideration and possible additional suggestions made.

The results of your contact with the New Orleans Police Department should be promptly furnished to the Bureau for the attention of the Identification Division.

Folson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
Trotter
Tele. Room
Holoman
Gandy



DEPARTMENT OF POLICE
2700 TULANE AVENUE



JOSEPH L. SCHEURING
SUPERINTENDENT

ANDREW GUIROVICH
SECRETARY

NEW ORLEANS, LA.

February 9, 1955

PROVOSTY A. DAYRIES
ASSISTANT SUPERINTENDENT

100-211615-204

ju

Director,
Federal Bureau of Investigation,
Washington, D. C.

Dear Sir:

Please change my forwarding address from
427 South Scoville, Oak Park, Illinois, to 6161 Canal Boulevard,
New Orleans 24, Louisiana.

Very truly yours,

W. Guy Banister
W. Guy Banister.

WGB/t

15

*ack. 2/16/55
LBN*

RECORDED - 78

100-211615-204

16 FEB 24 1955

Handwritten signatures and notes

*58 MAR - 8 1955
1 copy sent
2-2-55 (1.2)*

RECORDED 77

205

February 16, 1955

Mr. W. Guy Banister
Department of Police
2700 Tulane Avenue
New Orleans 19, Louisiana

Dear Mr. Banister:

In the Director's absence, I wish to acknowledge your two letters of February 9, 1955, setting forth your forwarding address and requesting to be placed on the mailing list, which is being done.

Sincerely yours,

Helen W. Gandy
Secretary

cc: SAC, New Orleans
cc: Mr. Jones
LBN:arm
(5)

NOTE: Mr. Jones: Mr. Banister is to be put on the mailing list to receive Uniform Crime Reports bulletins ONLY.

RECEIVED
FEB 16 5 51 PM '55

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

MAILED 8
FEB 17 1955
COMM-FBI

[Handwritten signature]



DEPARTMENT OF POLICE

2700 TULANE AVENUE



JOSEPH L. SCHEUERING
SUPERINTENDENT

NEW ORLEANS, LA.

ANDREW GUIROVICH
SECRETARY

February 9, 1955

PROVOSTY A. DAYRIES
ASSISTANT SUPERINTENDENT

hcr

Director,
Federal Bureau of Investigation,
Washington, D. C.

Dear Sir:

ATTENTION: CRIME RECORDS

I would appreciate being placed on the mailing list to receive the FBI Law Enforcement Bulletins, Uniform Crime Reports, Speeches made by the Director, together with any public statements he makes which can be distributed.

It is requested that this material be mailed to me at Police Headquarters, 2700 Tulane Avenue, New Orleans 19, Louisiana.

Very truly yours,

W. Guy Banister
W. Guy Banister.

WGB/t

*noted
2/16/55*

*ack. 2/16/55
LBM*

*Banister
chgd. replaced
on 2-23-55
m-cg/ltm*

RECORDED - 78

15-2617-5
16 FEB 24 1955

*1 copy sent
2-23-55 621*

[Handwritten signatures and initials]

F. B. I. RADIOGRAM

DECODED COPY

*and conversation
C. J. ...
sh. b. ...
ju = 1*

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Boardman	<input checked="" type="checkbox"/>
Mr. Nichols	<input checked="" type="checkbox"/>
Mr. Belmont	<input checked="" type="checkbox"/>
Mr. Harbo	<input checked="" type="checkbox"/>
Mr. Parsons	<input checked="" type="checkbox"/>
Mr. Rosen	<input type="checkbox"/>
Mr. Tamm	<input type="checkbox"/>
Mr. Sizoo	<input type="checkbox"/>
Mr. Winterrowd	<input type="checkbox"/>
Tele. Room	<input type="checkbox"/>
Mr. Holloman	<input type="checkbox"/>
Miss Gandy	<input type="checkbox"/>

FROM NEW ORLEANS 4-26-55 NR 262131 **G.I.R. 6** 6:50 PM

DIRECTOR DEFERRED

NEW ORLEANS POLICE DEPARTMENT. INFORMATION CONCERNING.

[redacted] DISTRICT
 NEW ORLEANS POLICE DEPARTMENT, CONFIDENTIALLY ADVISED THAT
 SUPERINTENDENT OF POLICE JOSEPH E. SCHEUERING WOULD TAKE
 HIS RETIREMENT THURSDAY, APRIL 28, 1955. HE ADVISED THAT IT
 IS POSSIBLE THAT GUY BANNISTER, FBI RETIRED, WHO IS NOW
 SECRETARY OF THE NEW ORLEANS POLICE DEPARTMENT, MAY BE APPOINTED
 SUPERINTENDENT OF POLICE AT THIS TIME. [redacted] STATED HE WAS
 CONTACTING THE SUPERINTENDENT OF POLICE AND MAYOR DELESSEPS
 MORRISON [redacted]

b7D

[redacted] THE BUREAU WILL BE ADVISED *OF DEVELOPMENTS.

RECEIVED: 4-26-55 7:19 PM JW

RECORDED - 40

62-26117-206

EX-116

MAY 11 1955

MAY 12 1955
Mr. Nichols

Mr. Harbo

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

PERF. FILES

Director, FBI

April 29, 1955

SAC, Chicago

W. GUY BANISTER
SAC RETIRED, CHICAGO

b6
b7C

Mr. CLEM LANE, City Editor, Chicago Daily News, on April 28, 1955, advised that he had received an inquiry from a New Orleans newspaper to verify a report that [redacted] Chief of Detectives at New Orleans, and another New Orleans police officer had recently visited Chicago in an effort to obtain information which would discredit GUY BANISTER, former SAC at Chicago, presently serving as the Number 3 man in the New Orleans Police Department.

Mr. CLEM LANE did not ask me to comment about this matter but said he was calling it to my attention because he intended to make inquiries among high-ranking Chicago police officials in an effort to affirm or refute the above report.

Nothing has come to my attention which would indicate that the above report is true. This is being forwarded to the Bureau for informative purposes.

DSH:OC

EX-113
RECORDED-45

INDEXED-45

62-26617-207
MAY 10 1955

58 MAY 13 1955

ORIGINAL COPY FILED IN 67-39565-574

RA

May 11, 1955

PERSONAL

G. I. R. 18

RECORDED - 4

INDEXED - 4

62-26617-208

Colonel Provosty A. Dayries
Superintendent of Police
New Orleans, Louisiana

EX-12

Dear Colonel Dayries:

Please accept my personal congratulations upon your recent appointment as Superintendent of the New Orleans Police Department.

Mr. W. P. Giles, Jr., Special Agent in Charge of our New Orleans Office, has informed me of your outstanding achievements in the past, and he joins me in the hope that our efforts will continue to merit the wholehearted cooperation we have received from you.

We know you must be justifiably proud of this recognition of your ability, honesty and integrity, and we want to wish you every success in the discharge of your new responsibilities.

Sincerely yours,

J. Edgar Hoover

md

changed on 5/11/55

cc - New Orleans
Reurairtel of 5-5-55 captioned "Colonel Provosty A. Dayries, Superintendent of Police, New Orleans, Louisiana."

NOTE: Bufiles reflect no derogatory data which could be identified with Colonel Dayries. Bufile # 62-8-54 congratulated him upon his appointment as Assistant Superintendent of the New Orleans Police Department. It is to be noted that Colonel Dayries was most cooperative with the Bureau during his service as Director of Training Facilities for the Veterans Administration, New Orleans. (62-28812-192)

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

GEM:blb:ekk
(4)

MAILED 31

MAY 24 1955

11 PM '55

Advised 6/7/58

Gene

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson	
Mr. Boardman	
Mr. Belmont	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Mohr	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

AIR TEL

Transmit the following ~~Teletype~~ message to:

FBI NEW ORLEANS

5/5/55

DIRECTOR, FBI - AIR MAIL

Colonel PROVOSTY A. DAYRIES
SUPERINTENDENT OF POLICE
NEW ORLEANS, LOUISIANA

Reference is made to New Orleans Radiogram dated 5/4/55, advising of the retirement of Superintendent JOSEPH L. SCHEUERING and the temporary appointment of Col. PROVOSTY A. DAYRIES as Superintendent of the New Orleans Police Department. Col. DAYRIES has now been given a permanent appointment as Superintendent of Police.

For the information of the Bureau, there is attached a newspaper article outlining the background of Col. DAYRIES. While Director of the Training facilities for the Veterans Administration in New Orleans, he was most cooperative with the FBI. As a member of the Police Department, he has gained a reputation for honesty and integrity, and it is believed that with his appointment the criticism which has been recently directed at the Department by the New Orleans newspapers and other civic organizations will come to an end.

Col. DAYRIES advised me on this date that he desired the New Orleans Police Department to offer every possible cooperation with the FBI. He stated he was going to do his utmost to run a clean, honest, efficient organization. He expressed admiration for the work of the FBI and called to my attention a letter he had received some time ago from you which he had framed and of which he stated he was most proud.

There appears to be no reason why this office cannot work closely with Col. DAYRIES in the mutual law enforcement problems in this area. Accordingly, it is recommended that a letter of congratulations for his appointment be directed to Col. DAYRIES by you.

Handwritten notes:
MPC:gp (4)
Enclosure (1)
5/11/55
6EM

RECORDED - 4

67-16617-208

Mr. Nichols

Mr. Harbo

MAY 17 1955

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

PAGE TWO

It should be noted that various members of the Police Department previously indicated that Mr. GUY BANNISTER, former Special Agent in Charge of the Chicago Division, was in line for the Superintendency appointment. It appears that Mr. BANNISTER in carrying out his recent assignment as Secretary to the Superintendent, and in checking on various members of the New Orleans Police Department, had been "somewhat over vociferous".

END

CHILES

*cc Mr. Nichols
File to review*

Dayries to Use Combined Experience Against Crime

New Chief Has Military, Business Knowledge.

New Orleans' new police chief, Provosty A. Dayries, vowed Wednesday to combine his military experience and business knowledge to fight crime and corruption in any form.

A mild-mannered man, Col. Provosty, 59, was appointed Wednesday to succeed Joseph L. Scheuring as superintendent of police. He had been assistant superintendent since Feb. 1954 succeeding Milton L. Durel, who resigned. Scheuring

retired Tuesday night after 22½ years on the force.

Col. Dayries served as a field artillery officer in both World Wars. Col. Dayries is a Louisiana native, born on a cotton plantation just outside of New Roads in Pointe Coupee parish. He is the son of the late J. A. and Ada Provosty Dayries.

National Guardsman

He is a former Tulane university student; he had served 35 years in the National Guard; he was an office manager for a compress and warehouse company, and he was, for a while, in the export business.

Col. Dayries was director of training facilities for the Veterans

Administration in New Orleans when he was chosen by Morrison for the No. 2 spot in the police department last year.

His military record began in 1916. That year he left Tulane to join up as a private in the Washington Artillery unit to serve in the Mexican Border campaign.

Prior to then, Col. Dayries had moved to New Orleans with his family (in 1906), and had attended Holy Name school, Jesuit High school and Loyola university.

When World War I broke out he served as a first sergeant in an artillery battalion, and later, with the American Expeditionary Forces, he became a second lieutenant of field artillery.

At University of Paris

After the armistice, he was stationed in Paris for a while. There he took a special course in law at the University of Paris.

On his return to New Orleans, he engaged in the export and freight forwarding business until his return to military service in 1941. At that time he was named executive officer of the 141st Field Artillery Unit with the rank of lieutenant colonel.

Subsequently, Col. Dayries commanded an artillery battalion in the Pacific theater of World War II. For six months prior to VJ Day, he was in command of Canton Island, directing a task force of Army, Navy, Air Force and Coast Guard personnel.

After VJ Day he was headquarters commandant of the Hawaiian Base Command.

When he returned to New Orleans in 1945, he accepted the position as the VA's training facilities director, and held that job until his appointment by Morrison last year.

On Oct. 31, 1953, he retired as a colonel of field artillery in the United States Army Reserve.

He is married to the former Alice Filleul and they have two children and five grandchildren. Their residence is at 2036 Octavia.

Integrity Praised

At the time Morrison named Dayries as assistant superintendent of police, the mayor referred to him as "a man of unquestioned honesty and integrity and will be a great asset to the police department."

Morrison said that Dayries, in addition to normal administrative duties, would have "the responsibility of being chief of enforcement for the department."

The family of Col. Dayries has been widely known in Louisiana. His uncle, Oliver O. Provosty, was a chief justice of the state supreme court. A grandfather was once sheriff of Pointe Coupee parish, and another was a state representative.

THE TIMES-PICAYUNE
NEW ORLEANS, LA.
5/5/55
Page 24, Col. 1 & 2

62-26617-508
ENCLOSURE

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 5 1955	
FBI - NEW ORLEANS	
Dureau	

Mr. Tolson	✓
Mr. Boardman	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

6/20/55

MR. TOLSON:

Police Department - New Orleans

In looking over the attached letter from New Orleans and clippings on the reorganization of the New Orleans Police Department, it seems to me that the situation in the New Orleans Police Department is far from stabilized and I am wondering if it would not be best to refrain from writing letters to anyone at this particular time.

I also think it might be well, as a precautionary measure, to call SAC Chiles on the telephone and caution him against any possible involvement and tell him why we are not writing letters if you agree to this course of action.

Respectfully,
A. B. Nichols

Enclosure
LBN:fc
(2)

I think it is OK to write Blancher

6/21

6/20/55 - 11:30 am
AGRIC mark Jelt
(do advised + will
inform S/R Chiles on
the return to the office
DBZ

Ben. Lutz + Bannister
chg on me.
7-14-55
JUL 18 1955

RECORDED - 75

62-20111-211

JUL 13 1955

REC'D

FBI FILES

UNRECORDED COPY FILED IN 1-4-55

(A-1-17)

- Mr. Tolson ✓
- Mr. Boardman ✓
- Mr. Nichols ✓
- Mr. Belmont ✓
- Mr. Harbo ✓
- Mr. Mohr ✓
- Mr. Parsons ✓
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Sizoo _____
- Mr. Winterrowd _____
- Tele. Room _____
- Mr. Holloman ✓
- Miss Gandy ✓

[Handwritten signature]

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI - AIR MAIL

FROM : SAC, NEW ORLEANS

SUBJECT: REORGANIZATION
NEW ORLEANS POLICE DEPARTMENT

DATE: June 17, 1955

V

Attached are newspaper clippings concerning the appointment of Mr. GUY BANISTER to Assistant Superintendent and Major ALBERT P. BLANCHER, NA, to Police Secretary of the New Orleans Police Department.

Major ALBERT BLANCHER, A National Academy graduate, has been most cooperative and has promoted excellent relations between personnel of the Police Department and this office. Wherever appropriate, he speaks highly of the Director and the Bureau.

Mr. GUY BANISTER, retired Special Agent, holds the Bureau in the highest esteem and has demonstrated cooperativeness while serving in the position of Police Secretary.

The appointment of Colonel PROVOSTY A. DAYRIES as Superintendent of Police, and the subsequent appointment of Mr. BANISTER as Assistant Superintendent and Major BLANCHER as Police Secretary, appears to have instilled public confidence in the New Orleans Police Department. Mr. BANISTER has advised me that he intends to pursue the present investigation of police personnel vigorously, and within the near future will "weed out all undesirables." He has indicated that evidence has been revealed by him that a number of officers under the old regime had been involved in taking bribes from gamblers and other racketeers. He states that it is the desire of Superintendent DAYRIES to press this investigation and to bring the New Orleans Police Department to the highest level possible.

It is recommended that a letter of congratulation be forwarded to Major ALBERT P. BLANCHER for his promotion to Police Secretary. It is also recommended that consideration be given to forwarding a letter of congratulation to Mr. GUY BANISTER.

ENCLOSURE

MFC:gp
(3)

Enclosures

AIR MAIL

*Alright as to Blancher
no as to Banister for it is stated
it is merely a job title and a promotion.*

Handwritten initials and signatures at the bottom right of the page.

An Able, Hard-Hitting Cop

Banister Appointment Right Step

In the appointment of Guy Banister as assistant superintendent, the Police Department adds luster to its badge.

It's another important step in the drive to provide the quality of law enforcement which this great community deserves and which the citizenry has demonstrated it wants.

Banister is a hard-hitting cop. He has spent most of his adult life fighting crime. He's proud of it, holds his head high and is dedicated to the proposition that police officers should earn and keep the respect of the public.

He believes, too, in decent pay for policemen—guardians of life and property who routinely risk their lives around-the-clock.

In this, Banister has the backing of this newspaper, the Metropolitan Crime Commission which urged his appointment as assistant to Supt. Dayries, many organizations and private citizens.

It is noteworthy that, in his new post,

he will continue the internal investigation of the department which he had begun. As he noted the other day in turning down an enticing out-of-town job offer, "there are too many honest policemen depending on me to clean (it) up."

This inquiry should move along, thoroughly and expeditiously, to its proper conclusion.

People are "tired" of the police scandal, but that does not mean they do not want it ventilated and eradicated, in whatever degree it exists. In this area, as in his new duties, Banister has a real opportunity for public service.

In the elevation of Maj. Albert Blancher to department secretary, the spot previously filled by Banister, Supt. Dayries gives recognition to a veteran of the department.

Revamping and improving a police department takes time—a great deal of time. But New Orleans, it seems, is on the way.



BLANCHER

BANISTER

NEW ORLEANS ITEM
GEORGE CHAPLIN, EDITOR
NEW ORLEANS, LA.

5/16/55

Page 10 Col. 1 & 2

ENCLOSURE

62-26617-211

BANISTER APPOINTED DAYRIES' ASSISTANT

New Aid to Continue with Probe of Police

Guy Banister became the new assistant superintendent of police Wednesday and Supt. Provosty A. Dayries, who made the appointment, said the police probe would continue under Banister.

Maj. Albert P. Blancher was promoted from night supervisor to secretary, filling the position occupied by Banister before his promotion.

Salaries of both jobs will remain as previously established, at \$9000 annually. Supt. Dayries made the announcement at his weekly press conference, apparently taking both Banister and Blancher by surprise.

Both men said they first learned about the two appointments when Supt. Dayries read his statement to members of the press gathered in his office.

The superintendent said he told Mayor deLesseps S. Morrison Monday that he intended to announce the name of the new assistant superintendent on Wednesday but Supt. Dayries would not say if the mayor was informed of his choice.

Head of Training

The superintendent added that Banister's present duties as head of training and director of all matters involving internal affairs will be continued. And, he added, Banister will act as superintendent "in my absence."

Blancher will "augment" the duties of the superintendent in all operations of law enforcement and crime prevention, Supt. Dayries said.

Banister became police secretary, one of the three non-civil service positions in the department, in January when Mayor Morrison appointed him, assigning him the job of cleaning up the department.

He has been conducting a probe into possible police corruption and



—Photo by The Times-Picayune.

AFTER PROMOTING THEM Wednesday, police superintendent Provosty A. Dayries (seated) confers with Guy Banister (center), assistant superintendent, and Maj. Albert Blancher, police secretary.

will continue to do so, Supt. Dayries added. Banister served 20 years with the federal bureau of investigation and is a native of Monroe.

Blancher has been a member of the police department for 23 years and was night supervisor when appointed to his new office Wednesday. The night supervisor's job will be filled at a future date, according to Supt. Dayries.

FBI Academy Graduate

Blancher became a major in April, 1949, when he was appointed supervisor of precincts. A graduate of the FBI academy, he also was supervisor of districts and supervisor of operations and training.

In Supt. Dayries' release, he said, "with the current and other changes, the picture may be drawn" as follows:

THE TIMES-PICAYUNE
NEW ORLEANS, LA.

6/16/55

Page 1 Col. 1 & 2

44-26617-211
ENCLOSURE

1. The superintendent is responsible for full administration and operation.

2. The assistant superintendent

BANISTER CHOSEN

Continued from Page 1.

ent is responsible for all training and matters affecting internal affairs. These include investigation into conduct of police officers and matters pertaining to departmental security.

3. The secretary will augment the duties of the superintendent.

4. The police administrative officer, Maj. James W. Fenerly, is responsible for the budget, assignment of personnel and liaison with the city council, the council police-fire committee and federal, state and city agencies in matters affecting the department.

5. The executive assistant to the superintendent, Capt. J. Jeff Albert, is responsible for routine correspondence of the superintendent, setting up office and outside appointments, and carrying out routine police orders.

6. Supervisory personnel are responsible for carrying out operations under the superintendent and will carry out the functions of their respective departments in an efficient manner.

Banister Is Asst. Supt.

Appoints Blancher Secretary

Guy Banister today was named assistant superintendent of police by Police Supt. Dayries.

Dayries made the announcement at a press conference in his office.

At the same time, he said that Banister would be succeeded as police department secretary by Maj. Albert P. Blancher.

Banister moves up to the post held by Dayries before the latter succeeded Joseph L. Scheuring as superintendent.

Blancher, until today, had been night commander of police.

BANISTER WILL retain his duties as director of internal affairs and head of the police training division, in addition to his new responsibilities, Dayries said.

This will permit him to continue his investigation of the police department, Dayries added.

in Col. Dayries' absence, Banister will be the acting police department superintendent, Dayries added.

Banister's salary will be \$9000, the same he got as police secretary.

BANISTER, A NATIVE of Columbia in Caldwell Parish, retired from the FBI last January after 20 years service.

His last assignment was chief of the big FBI bureau in Chicago. He served on the police force at Monroe before entering the federal agency.

Banister, greying, dapper and (See BANISTER, Pg. 4, Col. 2)

handsome, is rated an expert marksman. He took part in a number of famous FBI gun-battles—including the slaying of a mad sniper in a mountain hideout.

In a recent speech before a civic club he made the following statement summing up his ideas:

based on his investigations to date:

"TODAY WE ARE paying for the problems of many years ago when the city 'accepted' graft.

"The New Orleans people bought danger . . . they bought crime . . . through disrespect for the law and those who enforced the law.

"I've learned that one man (in the police department) says he took graft on Friday and put it in church on Sunday. Should we keep him on the police department?"

Banister said his own belief was this:

"Some men have washed their hands of graft. They can, and should, be salvaged.

"It's been hard to find men

who can name names, in detail, and give other details in our investigation."

BANISTER CONFIRMED, reported recently, after Dayries succeeded Scheuring as superintendent, that he had been offered a \$15,000 law enforcement job in a western state.

Later, last Monday, he announced that he had considered the offer but had turned it down.

He said he did not want to leave the New Orleans department because his probe was "too close to obtaining results."

"There are too many honest policemen depending on me to clean up the department. I don't intend to quit regardless of any offer from anywhere."

Supt. Dayries announced the new appointments today in the following statement:

"In line with my policy of making organizational changes to increase the effectiveness of the department of police, I have today changed the title of Guy Banister from secretary to assistant superintendent of police and have promoted Major Albert J. Blancher from night supervisor to secretary.

"THE SALARIES of the two positions will be equal and remain as previously established, \$9000 annually.

"Assistant Superintendent Banister's present duties as head of training and director of all matters involving internal affairs will be continued as such.

"As senior ranking officer under the superintendent, Assistant Supt. Banister will act as superintendent in my absence.

"All policy matters will continue to be established only by order of the superintendent.

"Secretary Blancher will augment the duties of the superintendent and all operations of law enforcement and crime prevention.

"WITH THE current and other recent changes, the picture may now be drawn as follows:

"1. The superintendent is responsible for full administration and operation of the department.

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NEW ORLEANS, LA.
6/15/55
Page 1 Col. 3

62-26617-211
ENCLOSURE

"2.—The assistant superintendent is responsible for all training and matters affecting internal affairs. The latter includes investigation of conduct of police personnel and matters pertaining to security of the department.

"3.—The secretary will augment the duties of the superintendent.

"4.—The police administrative officer (Maj. J. W. Fenerty) is responsible for budget, assignment of personnel, and liaison with the commissioner of police and fire committee, and federal, state and city agencies in matters affecting the department as a whole.

"5.—The executive assistant (Capt. Jeff Albert) is responsible for routine correspondence of the superintendent, setting up offices, outside appointments, and carrying out of routine police orders.

"6.—Supervisory personnel are responsible for carrying out operations under the superintendent and secretary and are also responsible for carrying out functions of their departments in a responsible and efficient manner."

Banister Named Assistant Chief

Will Go on With Probe Of Police

Police Supt. Provosty A. Dayries today promoted Guy Banister from police secretary to the post of assistant superintendent.

He said Banister will continue to head the police probe.

Maj. Albert Blancher, night supervisor and veteran of 23 years with the department, was advanced to the position of police secretary.

Both positions now carry a yearly salary of \$9000.

Inquiry to Go On



—New Orleans States Photo
THE TOP OFFICERS of the police department join in a handshake today after Supt. **PROVOSTY A. DAYRIES**, center, appointed **GUY BANISTER**, left, assistant superintendent, and Maj. **ALBERT BLANCHER**, right, police secretary.

NEW ORLEANS STATES
NEW ORLEANS, LA.

6/15/55

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62-26617-211
ENCLOSURE

Banister, who served 20 years with the federal bureau of investigation, joined the police department as secretary in January.

Mayor Chep Morrison appointed him and charged him with the job of cleaning up the department.

Dayries said today Banister will continue to conduct his investigation into alleged police corruption.

Banister also will continue to be in charge of police training, Dayries said.

Blancher, in the post of secretary, will augment the duties of the superintendent in all operations of law enforcement and crime prevention, the superintendent said.

Dayries said policy matters will continue to be established only by his order.

Present Police Setup

With these and other recent changes, Dayries said this is the present police administrative picture:

1. The superintendent is responsible for full administration and operation.

2. The assistant superintendent is responsible for all training and matters affecting internal affairs. These include investigation into conduct of police officers and matters pertaining to departmental security.

3. The secretary will augment the duties of the superintendent.

4. The police administrative officer, Maj. James W. Fenerty, is responsible for the budget, assignment of personnel and

Banister—

liaison with the city council, the council police-fire committee and federal, state and city agencies in matters affecting the department.

Supervisory Duties.

5. The executive assistant to the superintendent, Capt. J. Jeff Albert, is responsible for routine correspondence of the superintendent, setting up of office and outside appointments, and carrying out routine police orders.

6. Supervisory personnel are responsible for carrying out operations under the superintendent and will carry out the functions of their respective departments in an efficient manner.

Dayries said the post of night supervisor, vacated by the promotion of Maj. Blancher, will be filled later.

Dayries, in answer to questions, said he had told Mayor Morrison he was going to make appointments but did not tell him who he would appoint.

Police Probe 'Results'

Police department secretary Guy Banister's reasons for choosing to remain at his post, rejecting another job offer, are worthy of note. They bolster public hope that the police investigation will bring the facts to the surface.

Says Mr. Banister:

"The police bureau investigation is too close to obtaining positive results for me to quit. There are too many honest policemen depending on me to clean up the department."

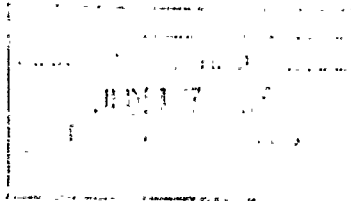
The "positive results," he said, embraced clearing certain officers of suspicion; prosecution of some officers, and taking administrative action against some officers.

Needless to say, Mr. Banister's report on the results of the investigation, he was given considerable power to conduct, will be awaited with consuming public interest.

CARL CORBIN, EDITOR
NEW ORLEANS STATES
NEW ORLEANS, LA.

6/14/55

Page 8 Col. 1



ENCLOSURE

62-26617-211

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/5/55

FROM : W. A. Rorer *WR*

SUBJECT: New Orleans Police Department



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b7C

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- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

Handwritten initials and numbers: "8-1" and a signature.

During the inspection of the New Orleans Office August, 1955, visits were made with a number of Federal and local officials by Mr. Lee O. League, of the Inspection Staff, with the exception of the New Orleans Police Department. The chief ranking officer of the New Orleans Police Department, Police Secretary, Major Albert F. Blancher, did visit the New Orleans Office and Mr. League met with him during this visit. Blancher is friendly and cooperative with the Bureau.

INTERNAL STYLE . . . NEW ORLEANS POLICE DEPARTMENT

At the present time, the New Orleans Police Department is involved in an internal administrative struggle between Superintendent Frousty A. Dayries and Assistant Superintendent Mr. Jay Lanister. The mayor of New Orleans is Celestino S. (Chep) Morrison.

Daily newspapers in New Orleans, while the inspection was in progress, carried news articles as to charges and countercharges between Lanister and "Colonel" Dayries.

These news articles referred to Lanister having suspended the Supervisor of the Traffic Bureau Major Joseph L. DePaoli for disobedience of orders, insubordination, inefficiency in supervision and neglect. According to the news articles, Lanister had not contacted the Superintendent prior to taking such action against DePaoli. Within about 12 hours Superintendent Dayries ordered a reversal of the suspension of DePaoli by Lanister thus returning DePaoli to work. Superintendent Dayries alleged that Lanister did not have such authority to suspend. News articles pointed out that such authority had been granted. Mayor Morrison upheld the Superintendent's action concerning his reversal of Lanister's orders.

Enclosure
LOR:njs
(2)

RECORDED-27
INDEXED-27

Bufile 62-26617 Sub A (New Orleans Police Department)

SEP 9 1955

SEP 14 1955

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Memo to Mr. Tolson

An article appeared in the New Orleans States newspaper 8/22/55 reporting that Banister had recommended dismissal of the Chief of the Homicide Bureau, Captain William Dowie, Coroner's Investigator Sam Moran, and the suspension of 2 detectives. Banister allegedly based his recommendation for dismissal against the 2 individuals for manufacturing evidence, general incompetence and improper investigation whereby one Louis Jones, colored, had been charged with the murder of Roger McDonald, colored, and charges were necessarily dismissed after Albert Harris, colored, confessed to the killing.

Agents of the New Orleans Office advised on the day the inspection was completed, that officers of the New Orleans Police Department had volunteered information that a safety deposit box had been located with an unusual amount of money in it belonging to Major Joseph R. DePaoli. These officers volunteered that Federal Internal Revenue Agents had been brought into the case and had developed sufficient information against DePaoli to sustain charges of income tax evasion. These officers had also advised that through Banister's investigation a New Orleans police officer, not identified, had admitted being the "collector" of pay-off money for a number of officials of the New Orleans Police Department. These officials according to the officers were not definitely known but were believed to include former Police Superintendent of New Orleans, Joseph L. Scheuering. The New Orleans agents pointed out this information had been voluntarily furnished by officers and there was no means of determining whether the information furnished was true or was a matter of rumor.

Both Superintendent Dayries and Assistant Superintendent Banister appear to air their viewpoints in the newspapers first, and thereby use this means of notifying one another of the action taken by them.

Inasmuch as the entire situation involving the New Orleans Police Department appeared to be one of turmoil and of internal distrust, it was considered improper for the Inspector to make any visit with these officials. It will be noted Mr. Blanche has been contacted. SAC Chiles advised that he has purposely avoided any involvement in this local situation and

Memo to Mr. Tolson

avoids any unnecessary contact with the top police officials. Several agents in the New Orleans Office who regularly contact the Police Department on official Bureau business advised they have experienced no difficulty with either Daynes or Santster. On the contrary, all members of the police department have been cooperative with the Bureau.

RECOMMENDATION:

None - Informative. News clippings have been furnished daily to the Bureau concerning this situation, by the New Orleans Office.

67-26617

August 25, 1955

(Thanking
Sup. Davis)

Captain [redacted]
Commanding Officer
Homicide Division
New Orleans Police Department
2700 Tulane Avenue
New Orleans, Louisiana

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b7C

Dear Captain [redacted]

Thank you for your very kind letter postmarked August 19, 1955.

It was indeed thoughtful of you to comment so favorably concerning the recent investigation involving [redacted]. I assure you that Special Agents [redacted] Raymond J. Driscoll, Regis L. Kennedy and Mr. M. P. Chiles, Special Agent in Charge of our New Orleans Office, were happy to be of assistance in this matter.

It is a pleasure to receive such commendatory letters, and we in the FBI deem it a distinct privilege to be of service whenever possible.

Sincerely yours,
J. Edgar Hoover

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b7C

RECEIVED READING ROOM
FBI
SEP 25 6 20 PM '55
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MAILED 4
SEP 26 1955
COMM. FBI

- 3cc - Chicago, with 3 copies of incoming.
- 2cc - New Orleans, with 2 copies of incoming.
- cc - Personnel file of [redacted] with copy of incoming.
- cc - Personnel file of Raymond J. Driscoll, with copy of incoming.
- cc - Personnel file of Regis L. Kennedy with copy of incoming.
- cc - Personnel file of M. P. Chiles, with copy of incoming.

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- Nichols _____
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- Holloman _____
- Gandy _____

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SEP 10 1955

Letter to Captain [REDACTED]

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8-28-55

NOTE: M. P. Chiles, SAC New Orleans. [REDACTED] Chicago, [REDACTED] SA, GS 13. Raymond J. Driscoll, Chicago, EOD 4-28-41, SA GS 13. Regis L. Kennedy, New Orleans, EOD 6-12-37, Clerk, 11-24-41, SA, GS 13. Captain [REDACTED] is a graduate of the 36th FBI NA in good standing. (1-4754) The Director noted on a ^{memo from} ~~note to~~ Mr. Nichols ~~from~~ Mr. Tolson, 6-20-55, that he did not desire letters to be addressed to members of the New Orleans Police Department in connection with the reorganization. In view of the cordial relations with Captain [REDACTED] this letter is believed advisable.

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[REDACTED] was, was a subject of a UFAB murder investigation and was arrested by Bureau Agents and officers of the Chicago Police Department on 7-11-55. Upon interview, [REDACTED] Wesley Spann in New Orleans in 1949. (88-9038)

SAC, New Orleans (33-1651)

September 8, 1956

235

Director, FBI

**NEW ORLEANS POLICE DEPARTMENT
INTERNAL REVENUE SERVICE INVESTIGATIONS**

Deurlet August 28, 1956.

In view of the likelihood of rather widespread prosecutions against members of the New Orleans Police Department involved in accepting payoffs, the Bureau instructs that your office participate in no further Police Training Schools for that department.

The Bureau, of course, will not accept any representatives from the New Orleans Police Department at the FBI National Academy.

You are cautioned to be most discreet and circumspect in all dealings with the New Orleans Police Department.

REC'D
FBI
U. S. DEPT. OF JUSTICE
SEP 8 4 29 PM '56

JSR:hup
(3)

33-1651
SEP 10 1956

Based on memo B. G. Brown, to Mr. Tolson dated 9/4/56, JSR:hup. Re "New Orleans Police Department, Internal Revenue Service Investigations."

- Tolson
- Nichols
- DeLoach
- Belmont
- Mason
- Mohr
- Parsons
- Rosen
- Tamm
- Nease
- Winterrowd
- Tele. Room
- Holloman
- Gandy

SEP 11 1956

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Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson	✓
Mr. Nichols	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

TO : Director, FBI

DATE: August 30, 1956

FROM : *MPG* SAC, New Orleans

SUBJECT: NEW ORLEANS POLICE DEPARTMENT
INTERNAL REVENUE SERVICE INVESTIGATIONS

Remylet August 28, 1956.

On August 29, 1956, ASAC A. M. DINSMORE happened to run into Mr. GUY BANNISTER, Assistant Superintendent, New Orleans Police Department, at which time Mr. BANNISTER volunteered that the Federal Grand Jury will indict approximately fifty New Orleans policemen for income tax violations and that the possibility exists that a number of New Orleans policemen will be indicted in state courts for public bribery and malfeasance in office. In commenting upon the possible state action, Mr. BANNISTER said that there is a remote possibility that Mayor deLESSEPS MORRISON, Superintendent PROVOSTY A. DAYRIES and District Attorney LEON D. HUBERT will be implicated on the theory that they permitted a situation to exist in the department involving a number of policemen. The ASAC did not question Mr. BANNISTER, merely listening to what he had to say in this regard.

This is being furnished the Bureau for information, and as additional information comes to our attention from other sources concerning this matter, the Bureau will be advised.

2 - Bureau
1 - New Orleans (33-165A)
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SEP 24 1956

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Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: 6/10/57

FROM : J. P. MOHR

SUBJECT: ~~GUY BANISTER~~
Assistant Superintendent of Police
New Orleans Police Department

- Tolson _____
- Nichols _____
- Boardman _____
- Belmont _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
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- Nease _____
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- Tele. Room _____
- Holloman _____
- Gandy _____

La

Police Department

While SAC Abbaticchio was discussing other matters today, he stated that the Mayor of New Orleans had been in telephonic contact with the Superintendent of Police in New Orleans and the Mayor has stated he was going to back the Superintendent to insure that Banister stays fired. The Superintendent had fired Banister because of his actions when reinstated after the suspension that resulted from Banister's ordeal in a night club. It seems that Banister refused to accept the duties assigned to him by the Superintendent and said he was going to apply for leave until the Mayor returned to New Orleans from a trip to the Near East. It now looks as though Banister is going to stay fired.

The foregoing is submitted for your information.

[Handwritten signature]

JPM:DW
(2)

They live to learn.

INDEXED-98 67-26617-244
RECORDED-98

14 JUN 12 1957

63 JUN 13 1957

[Handwritten initials and signatures]

Police Department - New Orleans, Louisiana

Mr. Tolson	✓
Mr. Nichols	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

✓
file

Organized Graft

It would be difficult now for anyone to maintain that the old, persistent reports of corruption in the police department were primarily rumor without serious foundation.

Developments in yesterday's meeting of the city council gave substance to the doubts that have existed for several years.

The superintendent of police and the assistant superintendent of police affirmed to the council that a citywide and organized system of graft operated in the department until approximately six months ago.

This information came to the council in the form of a report requested from Assistant Superintendent Guy Banister, who has been conducting an investigation within the department for nearly a year.

The information was corroborated by Police Superintendent Provosty A. Dayries in response to questions by members of the council's police and fire committee sitting as a committee of the whole.

In his 13-page report Banister said his office "has signed statements to the fact that 10 captains, nine lieutenants, 26 sergeants, 46 patrolmen, and seven civilians for a total of 98 persons have been directly connected with the organized graft system either through collection or distribution or receiving the graft money, to date."

In addition to providing this positive information about graft, Banister, in answer to a question, gave an endorsement to the report made two years ago by the special citizens investigating committee, which alleged the existence of such a system of graft. He answered affirmatively when asked if the report was "a fair appraisal of the true condition of the New Orleans police department."

From all indications, the council was convinced that a system of graft existed.

So, it may be assumed, the council's efforts from here on out will not be concerned so much with whether there was a system of graft, but what can be done to make sure that it is rooted out permanently.

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Lester
Rogers
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THE NEW ORLEANS STATES
NEW ORLEANS, LA.
EDITORIAL, CARL CORBIN, EDITOR
PAGE 4, COL. 1
DEC. 30, 1955

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NOT RECORDED
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Mr. Tolson
Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Mason
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm	.....
Mr. Nease	.....
Mr. Winterrowd	.....
Tele. Room	.....
Mr. Holloman	.....
Miss Gandy	.....

Asst. Supt. Banister's Report

The Important Question

POLICE DEPARTMENT - NEW ORLEANS, LOUISIANA

Asst. Police Supt. Banister's report that he has signed statements that 91 policemen—from captains down to patrolmen—were involved in an organized "graft" system calls for explanation and also for action.

If such a "graft" system did exist, as Banister says, up until last May and June, this is a matter of public concern.

And, if these signed statements are valid and will hold up in court whoever was responsible for such a system should be brought to account.

Too little is yet known about the information in these statements to judge their legal worth. Apparently, however, Mr. Banister has done an outstanding job of gathering evidence on that hardest-to-prove of all evils—police corruption.

He has been able, for the first time since the investigation into police conditions here began, to obtain statements signed by policemen implicating other policemen.

One reason for his ability to get these statements seems to have been that when he was brought here last spring by Mayor Morrison, he was promised an entirely "free hand" in investigating.

Though Supt. Dayries has since claimed "chain of command" authority over Banister and the Police Bureau of Investigation, Banister's findings have been made independently and without interference.

The clashes between Banister and Dayries have been over "clearance" of the results of the investigation—not over the conduct of the inquiry or the facts ascertained.

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ASST. SUPT. BANISTER

THE NEW ORLEANS ITEM
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DEC. 30, 1955

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68 JAN 1 1956

Bureau

Some of the credit for Banister's success also appears to belong to the District Attorney's office.

Through the District Attorney's cooperation, Banister was able to promise policemen and other informants immunity from prosecution in return for their affidavits and promises to testify in open court.

The actual value of these statements, however, will depend on what comes of them.

If they result in a thorough public airing of whatever police corruption did exist—and the fixing of the responsibility for it—they may become the instrument for removal of what Banister calls "the cancer in the body politic."

This—rather than the arguments raised by Supt. Dayries as to his authority over Banister—is the really important question in the Police Dept. now.

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NEW ORLEANS, LA.
PAGE 12 COL. 1,2
DEC. 30, 1955

Mr. Tolson.....
Mr. Nichols.....
Mr. Boardman.....
Mr. Belmont.....
Mr. Mohr.....
Mr. Winterrowd.....
Tele. Room.....
Mr. Holloman.....
Miss Gandy.....

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BANISTER

TELLS OF

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 12/29/55
 Page 1 Cols. 2 - 8

BUREAU

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 126 JAN 10 1956

10 ORGANIZED GRAFT



THE TWO PRINCIPALS in today's hearing at City Hall. Asst. Supt. of Police, Banister, left, and Supt. Dayries sat side by side just before they began reading their prepared statements. Later, they clashed sharply in their views.

Dayries In Agreement

Asst. Police Supt. Banister said today he has in his possession "signed statements" that 91 policemen from captains down "have been directly connected with the organized graft system" in New Orleans. Many of these statements were made by policemen, he said.

Banister, in a special report to the Police and Fire Committee of City Council, said the

Police Supt. Dayries, at today's hearing, said "the whole trouble" between himself and Asst. Supt. Banister began with the creation of the PBI as an agency inside the police department. He said what we now have is "two different departments. If there is to be two different departments, the PBI ought to be outside the police department."

Councilman Fitzmorris told Dayries "I agree."

citywide organization graft system "ceased operations" in May and June of this year. But, he added, "it is being revived in a comparatively minor form and operated on a low criminal under world level."

(Dayries questioned following Banister's report said he "positively" agreed that there was "a citywide and organized graft system" operating in the department as recently as May and June of this year.)

Altogether, he said, the Police Bureau of Investigation has 188 cases involving public bribery under study.

Banister said the statements showed the 91 policemen (and seven civilians) to "have been directly connected with the organized graft system either through collection or distribution or receiving the graft money."

Banister's report originally was scheduled for presentation last Thursday. It was delayed, however, when Police Supt. Dayries said he had only had an hour and 15 minutes to study it.

Banister described the "first break" in the PBI investigation like this:

"The raid on the home and place of business of Lionel Andrew Dominguez last February conducted by State Police and participated in by the New Orleans police, by invitation, brought to light a list containing names of detectives, district men, and ranking officers of the department.

"THIS LIST touched off a flurry of activity and interest. Cases were promptly opened and assigned.

The close association of the former Superintendent's family was established. He applied for retirement.

"This was the first break." (Former Police Supt. Joseph Scheuring retired from his post May 3, 1955.)

Banister said the statements he has dealing with public (See BANISTER, Pg. 3, Col. 1)

(Cont. from Page 1)

bribery involve 10 captains, nine lieutenants, 26 sergeants, and 46 patrolmen.

But, Banister said, the persons named as having been connected with the organized graft system "do not necessarily comprise any part of the list of New Orleans Police Dept. members found in the raid on the home of the lottery king, Andrew Dominguez."

In addition, Banister said the PBI has similar statements involving seven civilians who "are, of course, not under the jurisdiction of the New Orleans Police Dept. and the Superintendent is without authority in their connection" as to inter-departmental action.

CONCERNING THE "signed statements," Banister said:

"Prior to making these statements the officers are informed that eventually they will have to make the same statement under oath to the District Attorney. He has authorized the PBI to inform them that if they tell all they know, holding back nothing, they will be granted immunity to prosecution for public bribery."

The pledge, he said, is conditioned on their subsequently testifying in "open court" and on the PBI being convinced that they are reporting all the facts known to them.

"THIS COUNCIL," declared Banister, "is requested to approve and support the action of the Superintendent and the PBI in assuring these victims of the system of job security and protection from harassment."

"Many of these men were absolutely helpless while the system was working. The creators, manipulators and chief beneficiaries of such a graft system of such wide proportions, must necessarily bring an overwhelming number into it ruthlessly stamping down the minute remnant

they are enable to keep the system working.

"The PBI has complete information as to the indoctrination methods used to bring key men into the graft system and into the system used in relieving drunks of money and valuables." The report did not elaborate.

"Whether the low ranking officers of the department were right or wrong," said Banister, "is not so material to the matter as was the fact that they believed they would be severely punished by those superior in rank if they attempted to interfere in any way with the organized system of collection and distribution of graft monies."

OTHER POINTS brought out in the Banister report were:

¶ The PBI has had a total load of 283 cases this year. There are 197 cases pending and 66 have been closed.

¶ In connection with public bribery investigations "all police districts have been implicated by these statements, except the Fourth District (Algiers)."

¶ Recommendations by the PBI that policemen be dismissed have, on occasion, been countermanded by higher authority.

¶ "Cases involving police officers which appear to violate the civil rights statutes are immediately referred to the Federal Bureau of Investigation" and at least one such case "should reach the federal grand jury soon."

Banister said the "activities of two police officers are now undergoing an investigation for the violation of civil rights."

IN ADDITION TO civil rights cases, Banister said the PBI maintains "close liaison" with special agents of the U. S. Intelligence Service, and the U. S. Bureau of Internal Revenue.

"The Federal Government has enough information supplied by the PBI to keep the Special Agents busy for several years," Banister said.

He also said some of the cases his bureau had under study "involved more than one police officer."

In one case, Banister reported, a man was charged with murder and placed in jail but a PBI report "clearly established that the man under indictment and being held in jail did not commit the crime."

Banister said the killing took place Dec. 12, 1954.

"The officers charged with responsibility in this case were content to let this innocent man go to trial," he said. "This man's life was placed in jeopardy, for murder is a capital offense."

"As a result of the investigation, recommendations were submitted to the superintendent of police," Banister said, "that two Negro officers, Carlton Pecot and John Pitts, be suspended." This development came in July, 1955, he said.

LATER, HE SAID, dismissal recommendations were made for Pecot, Pitts, Ptm. Sam Moran and Chief of Homicide William J. Dowie, Sr.

Suspensions were recommended for Det. William Stevens and Ptm. John Delpuget, he said.

Banister said action of the superintendent in dismissing Pecot and Pitts was upheld by the civil service commission Dec. 5.

"No further action has been taken in the matter of the other recommendations as to disciplinary actions regarding the other officers," Banister said.

ON ANOTHER OCCASION, Banister said he recommended that a police officer be dismissed as a result of investigation of a charge of conduct unbecoming a police officer.

The recommendation for this dismissal ran counter to the recommendation of a high official

of the police department that activity of a police officer while off duty was no affair of any member of the department or of any official of the department," he said.

Banister did not name the officer "since he is still under investigation on a different charge."

But, he said, the policeman was alleged to have "deserted his own wife and children, stolen the wife of another policeman and the mother of that policeman's children and had been living with her and had by her a child."

"The policeman involved admitted his part in the affair," Banister's report said.

"He admitted that he could be the father of the child recently born to her and that he had paid a portion of the hospital expense in connection with the birth of that child," Banister said.

"He also admitted that he continued to live with his wife and his children at the time he was visiting the other woman's apartment."

ALTHOUGH THE OFFICER was suspended for 60 days, Banister said "he was not dismissed and is still a member of the New Orleans Police Department."

The report did not list a date for this case.

"There were several investigations of the traffic division, particularly while it was being commanded by Maj. Joseph R. DePaoli," Banister said.

AFTER ONE CASE, in which two officers were charged with attempting to extort money from citizens under threat to arrest them for a traffic violation, Banister said "many inadequacies were found in the investigation conducted by DePaoli's division."

As a result, he said, the PBI recommended a 10-day suspension for DePaoli but that "on the same date the order suspending him effective Aug. 18, 1955 was rescinded by the Superintendent of Police and he was restored to duty."

"The superintendent of police informed the assistant superintendent of police that he was without authority to act in the matter," Banister said. "Subsequently Maj. DePaoli applied for and exercised his rights to retire."

"Complaints against police personnel are not always referred to the PBI," Banister said.

"As an example, I note that on Dec. 15, Pth. Anthony Ollian was suspended. To date, neither by official report or rumor does the PBI know the circumstances surrounding this suspension."

IN ADDITION to the 168 public bribery cases now under investigation, Banister said other cases being studied include:

Conduct unbecoming an officer (public morals); 8; Collusion in purchase of auto from city, 1; perjury and subornation of jury, 2; misuse of police authority, 3; conduct unbecoming an officer (non-payment of loan), 1; interference in a civil matter, 1; neglect of duty, 2; unwarranted arrest, 5; false reports, 1; extortion, 1; police brutality, 2; and theft, 2.

Banister's report also recalled a case involving Chief of Detectives Harry Daniels and Det. Rene Laterrade.

"The investigation was made by the PBI," Banister said, "and it developed that Det. Laterrade was unnecessarily rough in handling two people he was checking for identification and that he refused to identify himself to these people."

"Further, he then failed to properly observe the affidavit," Banister said, "thereby signing an affidavit containing an improper charge. It was recommended that he be reprimanded, since it was concluded that he was acting under the direct supervision of his superior."

"This was done. The findings of the PBI regarding Chief Daniels were that he had advised a citizen that plainclothes officers did not have to show identification if it was considered that they were known to the citizen."

"He admitted saying to the person under arrest that more law lay in the end of a policeman's night stick than in all the law books in law school."

Banister said it "was recommended to the Superintendent of Police by the PBI that Chief Daniels be suspended for 60 days because his actions in the case indicated a lack of ability as Chief of Detectives since he could not handle a very minor incident."

"A high official of the Department, not participating in the

investigation, recommended that Chief Daniels be suspended for 15 days for conduct unbecoming and officer. The Superintendent suspended Chief Daniels for 15 days for conduct unbecoming an officer."

Banister said the action was overruled by the Civil Service Commission, but that the Commission suggested charges be brought against Daniels for "gross abuse of police authority."

"This charge was not brought against Daniels as the Commission had seemed to have prejudged the case," Banister said.

BANISTER SAID the public bribery investigations "really began with the Special Citizens Investigative Committee of this Council."

"The Police Bureau of Investigation was organized by ordinance adopted in Council," he said. "It is a continuation of the SCIC."

"It has been claimed that a police organization cannot investigate itself."

"You can be assured that a grand jury cannot thoroughly clean the grafters out of a department," Banister reported.

"The National Guard cannot do it."

"A police department can be cleaned only from the top and from the inside out."

"The power and skill of a policeman to uncover and reveal the acts of others is matched by the same power and skill to cover and conceal his own acts," Banister added. "This use of power and skill must be overcome by greater power and greater skill."

BANISTER SAID "an organized graft system, such as existed in the New Orleans Police Department, was a cancer in the body politic."

"There is no such thing as a dormant cancer. It remains active and will kill the patient unless it is excised."

"With this report," he said, "the PBI, like a surgeon, has opened the patient and exposed the cancer to your view."

Then, he asked, "Must the incision be closed and that cancer permitted to work out its course, or must it be removed?"

Two Agree Graft Ring Did Exist

Supt. of Police Dayries today "positively" agreed with Asst. Supt. Banister that "a city-wide and organized graft system" existed in the department as recently as May and June of this year.

Dayries' statement came under questioning by Councilmen Cassibry following Banister's police investigation report which was presented to the City Council meeting as a committee of the whole.

"Do you agree?" Cassibry asked Dayries in reference to Banister's statement on graft.

"Yes, sir. Positively," Dayries replied.

OTHER DEVELOPMENTS

in the question-and-answer session brought these highlights:

¶ Banister said that results of Police Bureau of Investigation activities tend to support a report by the Special Citizens Investigating Committee that a widespread graft system existed.

¶ The Council agreed to offer job security protection to police officers who make statements for police investigations.

¶ Banister declared he does not have sufficient authority to discharge his duty as head of the PBI.

¶ He further charged that he was being bypassed in police policy matters and said the first he hears on police policy is "after they are made."

¶ Banister specifically mentioned the case of the suspension of former Maj. DePaoli, and the immediate lifting of that suspension by Dayries, as an incident which had shaken his authority. Since that action, Banister said, "the men on the police department know that I have no more right to discipline a man than any sergeant."

¶ Banister said he was not kept informed on promotional policies. - One one occasion, he added, news of the promotion of five detectives came "from an informer on Bourbon St."

¶ He added: "With all respect to the deputy (police secretary Albert Blancher), they (police men) say he's one of the old line officers and that he's ruining the police department."

BANISTER SAID it would be "impossible" to set a target date for completion of the PBI in-

investigations on the SCIC report. Councilman Fitzmorris said he was "vitaly interested" in completing the investigation.

"Until we say to the public that every one of those SCIC cases has been investigated and that action has been taken and individuals convicted or cleared there will be continued public concern that we are not doing our job," he said.

Banister said the cases included in his report "represent the opening of cases. . . I don't know how many more will open up."

COUNCILMAN MOORE said he understood the clearing of the department "is a matter of growth and is not something that can be cleared up at once."

Asked if that analysis was correct, Banister replied:

"As you shake the tree the ripe fruit falls. When you shake it again, more and more falls."

"Does the work of the PBI tend to support the SCIC report as to the existence of a widespread graft system at the time the SCIC report was made?" Moore asked.

Banister said, "It does, sir."

Moore then called on the Council to "reassure" members of the police department who come to the PBI and make statements in the hope of having a better police department.

DAYRIES, ASKED for suggestions on that matter, said: "Anything you can do will help the situation."

Cassibry then asked the Council to go on record, offering job security to officers who make such statements. Dayries agreed a declaration from the Council would help.

Fitzmorris said that if there was no objection the Council approval of Dayries' policy, so far in promising job security be incorporated in the minutes of the meeting. There was no objection.

Heated discussion resulted at one point when Banister said he was being bypassed in police policy matters.

Moore, noting there had been some "regrettable discussion" of the relations between Dayries and Banister, expressed concern over its effect on future effectiveness of the PBI.

"Do you feel, Mr. Banister, that you possess sufficient authority to discharge your job as head of the PBI?" Moore said.

"No, Sir," Banister said. "There is a power and authority which goes with the assistant superintendent of police."

The logical mind would conclude I'm not assistant superin-

tendent of police, except in name only."

COUNCILMAN CLASEN said "the real meat of the coconut" at today's meeting was whether recommendations in the SCIC report are being followed up.

"Well, not all of this is at my fingertips, except to say that most of the recommendations have been taken care of," Dayries said.

Dayries agreed with Clasen that at least 90 per cent of the SCIC's 39 recommendations had been "gone through with."

Fitzmorris said "If we can show the public that the superintendent and the assistant superintendent have made a lot of progress, we'll show that the SCIC report is not as some people think—in vain."

"We know that's ridiculous. The SCIC brought out a lot of good things about police training and functions."

Banister said the report was a fair appraisal of the police situation.

"It contains a lot of rumors, but a lot of facts."

BURKE STARTED to challenge why Banister had not submitted more cases to the district attorney if the SCIC report contained "hard facts."

"I say the hard facts are there," Banister said. "Many officers are named by confidential informers, but we have to go out and prove them (the facts). And, we are proving them."

Cassibry broke in:

"I've heard repeatedly that someone has to be indicted and put in jail before any graft exists. I've heard the SCIC report was rumors, innuendo. I've even heard the head of the police department say that if there's any blame in the police department, he's to blame."

"And now we have two men—Dayries and Banister—appointed by the mayor himself, come in and say: 'Yes, there was organized graft in the police department.'"

"How much more do we have to hear to believe there was organized graft?" Cassibry asked.

He gestured toward Dayries and Banister.

"Are they politicians? I knew there was graft. . . knew it in my own heart. How much more do we have to hear before we get to work weeding it out?"

FITZMORRIS ANSWERED: "That's the reason we had Mr. Banister investigating."

"No one questions the integrity of these two men in submitting their reports today, but I do believe we have to wait

for further action from them.

"I'm impressed by Banister's statement that the department can only be cleared from the top and inside and from the operation of its members."

"I still support that positively."

Dayries Objects

Supt. of Police Dayries today took issue with Asst. Supt. Banister's report to the City Council's Police and Fire Committee and said "it is my function" and "no one else's" to decide guilt or innocence in police disciplinary cases.

Dayries said the Council called on Banister to "make a full up-to-date report to us on the result of his investigation of the alleged police bribery."

Instead, he said, Banister launched "into a critique of the actions I took in several cases where I did not agree with his recommendations."

"I SUBMIT TO you that there must be only one command," Dayries said.

"As administrator of the New Orleans Police Department, it is my function and no one else's to decide in each case whether there is guilt or whether the person is innocent.

"It is also my duty and responsibility in the case of guilt, to impose the punishment which I deem commensurate with the offense. This function is done after careful analysis, study and research and sometimes discussion with the investigators.

"However, the final decision is mine."

Dayries claimed "only about three pages" of the report "are on the subject called for by the council.

"These three pages are cluttered with irrelevant passages," Dayries said.

"Six and one-half pages of the report," Dayries said, "depart entirely from the intent of the report—'Alleged Police Bribery.'"

Dayries commented on a statement by Banister that some departmental investigations were not handled by the Police Bureau of Investigation.

"Over 50 per cent of disciplinary actions do not reach the PBI," Dayries said. "Some disciplinary actions are based on recommendations made by my supervisors covering infractions committed by men under their command.

"This is not only normal, but the duty of subordinate commanders in any organizations."

(Here Dayries departed from his prepared statement to say that 61.8 per cent of the disciplinary cases submitted since he had taken command were acted on by him personally or subordinates other than the PBI.)

THEN DAYRIES REPLIED to individual cases listed in the Banister report.

"Regarding the so-called outstanding case of Dowie, Stephens, Delpuget and Moran," Dayries said. "I verbally advised Asst. Supt. Banister, several months ago, that I did not concur in his recommendations in the case of these four officers.

"I also deem it inadvisable at this time for police security reasons, to go further into the details of my file memorandum concerning these four officers."

In the matter of former Ptn. William J. Peters and Luke Delatour, Dayries said, "the records will show that these two men were summarily dismissed by me and charges for the Criminal District Court were accepted by the district attorney's office."

The action, he said, was the result of investigations "independently set up and successfully concluded by two ranking officers of the motorcycle division of the Traffic Bureau."

"In the Daniels-Laterrade case, after long study and con-

sideration, I decided on disciplinary action that I deemed proper under the circumstances. Such a decision is within the prerogative of the superintendent of police, and no one else."

REFERRING TO THE case of an unnamed officer who was accused of taking the wife of another policeman and fathering a child by her, Dayries said "there are cases where justice must be tempered with mercy. I deemed this such a case because of the family factors and the long service of the police officer involved.

"I found extenuating circumstances upon which I based my decision," he said.

"I challenge the insinuation that I might have been influenced by some statement attributed to a high ranking officer to the effect that my duty hours of an employee was no concern of the department," Dayries said.

"This is completely disproved by disciplinary action taken in other cases where officers violated regulations while on their own time."

Mr. Tolson	.....
Mr. Nichols	.....
Mr. Boardman	.....
Mr. Belmont	.....
Mr. Mohr	.....
Mr. Parsons	.....
Mr. Rosen	.....
Mr. Tamm	.....
Mr. Nease	.....
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

J.S. Rogers

Guy Banister

N. Cobano P.D.

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BURMAN

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Mr. Tolson	✓
Mr. Nichols	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mason	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

LINKS 91 N.O. COPS TO GRAFT

Banister Tells Council Of Police Probe Findings

Assistant police Supt. Guy Banister today told the city council he has evidence that an organized graft system involving 91 policemen and seven civilians existed in the police department until May or June of this year.

Police Supt. Provosty A. Dayries agreed with Banister that the system of graft existed in the department.

At the same time, Banister said his work is being hampered by a lack of authority and asked for a "clear road to the council" to continue his investigation.

Banister, who heads the police bureau of investigation, made his report on the police corruption probe today before the council at City Hall.

Only a Beginning
The assistant chief said 83 cases in the investigation will be presented to Supt. Provosty A. Dayries and added that they "are only a beginning."

"There will be many more people involved," he said.

In the midst of disagreement

between himself and Dayries, Banister charged that he is "superintendent in title only."

He said he is not consulted on policy matters in the department and is forced to conduct "a system of espionage" to find out what is going on in the department.

Dayries retorted that Banister is free to obtain any information about the department that he wishes.

"I didn't wait to be told anything when I saw the assistant superintendent," he said.

Banister delivered his report after he was officially reprimanded by Dayries for releasing copies to the press before a council session last Thursday.

Councilmen were to have heard the report last Thursday but,

after debating for an hour, postponed it until today. They took the action after Dayries complained he had not had sufficient time to study it.

Banister said today:

Signed Statements
"The police bureau of investigation has signed statements to the fact that 10 captains, nine lieutenants, 28 sergeants, forty-six patrolmen and seven civilians for a total of 98 persons have been directly connected with the organized graft system."

The system ceased operations in May and June of this year, Banister said. Then he added, "It is being revived in a comparatively minor form and operated on a low criminal underworld level."

"It is under investigation by the FBI at this time."

Two of the seven civilians involved in the graft system are under charges in the district attorney's office.

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Banister—

ney's office for having offered to bribe two police officers, seven of the police personnel involved have retired and one is dead, Banister said.

83 Cases Left

This leaves 83 policemen and five civilians, Banister said. Of these, the cases of the 83 officers will be presented to police Supt. Dayries, with recommendations for administrative action.

"As rapidly as possible charges will be brought in these cases."

The cases of three police officers and four civilians have been submitted to the district attorney as "pilot cases" for study, Banister said.

Banister traced the break of the graft system back to last February, when a list of names of policemen was found at the home of Lionel Andrew Dominguez, convicted lottery operator.

"This list touched off a flurry of activity and interest," Banister said. "Cases were promptly opened and assigned."

The First Break

"The close association of the former superintendent's family (Joseph L. Scheuering) was established."

"He applied for retirement. That was the first break."

"Whether the low-ranking officers of the department were right or wrong is not so material to the matter as was the fact that they believed they would be severely punished by those superior in rank if they attempted to interfere in any way with the organized system of collection and distribution of graft monies."

Banister said all police districts except the Fourth were implicated in the system.

Granted Immunity

The PBI has many signed statements from police officers of various ranks naming men of the department as units in the graft system, Banister said.

Before they gave these statements, the men were informed that if they told all they knew, holding back nothing, they would be granted immunity from persecution for public bribery, provided they subsequently testified in open court.

Banister asked the council to approve and support this action in assuring these victims of the system their job security and protection.

"Many of these men were absolutely helpless while the system was working," he told the council.

The creators, manipulators, and

chief beneficiaries of such a graft system of such wide proportions must necessarily bring an overwhelming number in to it."

Indoctrination Methods

The PBI has gathered complete information as to the indoctrinational methods used to bring key men into the graft system and into the system used in relieving drunks of money and valuables, Banister said.

"An organized graft system, such as existed in the New Orleans police department, was as a cancer in the body politic," he said.

"There is no such thing as a dormant cancer. It remains active and will kill the patient unless it is excised."

"With this report the PBI like a surgeon has opened the patient and exposed the cancer to your view. Must the incision be closed and that cancer permitted to work out its course, or must it be removed?"

Other Investigations

"An efficient law enforcing organization, performing all of its duties in a manner that is legally right and that is morally and ethically correct in all it does, is the xat before which all professional police officials must kneel."

Before telling about the graft system, Banister reported to the councilmen on other PBI investigations and recommendations.

He said he recommended that homicide chief William J. Dowie Sr. be dismissed "because of obvious neglect of duty and proved incompetence" and made a similar recommendation concerning investigator Sam Moran of the coroner's office.

These recommendations were made last July and there has been no further actions taken, Banister said.

He also reported recommending the suspension of Det. William Stevens for 30 days and Ptn. John Delpuget for 15 days. No further action was taken on these either, he said.

Fitzmorris Concerned

Fitzmorris expressed concern that until the police investigation is completed "a cloud of doubt"

remains in the public mind and asked Banister if he could give an approximate date for the conclusion of the investigation.

"I cannot give you a calendar date," Banister replied. "The statements we have are merely a beginning. There will be many more."

Banister said that the "break" in the investigation came about three months ago and the FBI is continuing to "piece together" facts.

He asserted that the "system of graft" will continue on a lesser level "until the attitude of the men themselves has changed."

"The approach must be psychological and through a clear understanding of the problem," he said.

Moore asked Banister if his investigation of police officers was a "process of growth" and not one which could be ended on a certain calendar date.

Banister replied that as he gets or statement he gets "more and more."

"It's like shaking the tree and more and more of the ripe fruit fall," he said.

Moore said he felt the council should take some kind of formal action to assure police officers who are giving information on police bribery to the PBI that they will be "protected against harassment."

No Assurance Given

Dayries admitted that he does not have assurance from the mayor's office that police officers who go before the PBI will be protected.

At this point Clasen interrupted the discussion and, with councilman Waiter M. Douffourc, asked Dayries to submit a "complete, up-to-date report on the status of the 39 recommendations made in the special citizens investigation committee report on the police investigation."

Banister and Burke then argued over the assistant superintendent's statement that the SCIC report contained "hard facts."

Burke contended that if the report contained "hard facts," they should have been submitted to the district attorney's office.

Banister answered that the facts required further investigation.

"We have the hard facts," he said. "We have picked them up and this means we have to go out, ring doorbells. That is standard operating procedure. They are beginning to be proved. They are proved."

Cassibry Viewpoint

Cassibry took the microphone and said:

"I have sat here an hour and a half and heard it said that somebody must be indicted and put in jail before he is guilty. "I have heard of a citywide system of graft."

Cassibry said Mayor Chop Morrison and other city officials have called the charges "nothing but rumor and innuendo."

"Now," he said, "we have two more persons (Dayries and Banister), both appointees of the mayor, who come before us and tell us that a system of graft exists. Is there still a doubt in your minds? How much proof is needed?"

"Are these two people politicians?"

Cassibry said it has been concluded that police bribery has existed in the city on a wide-scale basis.

"Now we are going back to the old hue and cry—prove it in court," he said.

Asked About Authority

Moore then said he felt "a regrettable amount of time" had been spent discussing the relationship between Dayries and Banister and said he was concerned with the future of the investigation.

"Do you feel, Mr. Banister, that you have sufficient authority to discharge your duties as head of the PBI?" he asked.

"No, sir," said Banister.

"What do you think would be necessary?" asked Moore.

"I can conclude that I am not assistant superintendent except by title," said Banister. "I am merely a supervisor over three divisions. I do not know the policy of the department except where I pick it up by hearsay."

"I regret to say," Banister continued, "that it has been necessary to establish an internal espionage system to find out what's going on in the department."

Banister said he is not asked

for opinions at police staff meetings that he has no voice in the establishment of police policy.

Referring to Banister's statement that he was forced to maintain "a system of espionage" to keep informed on policy matters in the department, Fitzmorris said:

"It is utterly ridiculous if we have people in the police department who have to go out and seek information to bring back to heads of the department."

Retort from Dayries

Dayries retorted that 99 per cent of the policies are set at staff meetings and that Banister attends those meetings.

"He is free to obtain any information that he wants," said the Dayries, admitted that police secretary Albert Blancher was his deputy on operational matters in the department.

Banister said that when he accepted the job of police secretary, before his appointment as assistant superintendent, he was told the job of investigating the police department was impossible.

He said there is one way it can be done. He described it as a legal step, but rough.

He failed to tell the council what the step would be but added that what was needed was a "clear road to this council."

Banister Rapped For Giving Press 'Uncleared' Data

Supt. of Police Dayries today reprimanded Asst. Supt. Banister for a "deliberate violation of my personal orders" in releasing copies of his report on police investigations to the press before it was cleared by him.

Dayries issued the reprimand as the City Council's Police and Fire Committee opened its session to hear the Banister report, originally scheduled for presentation at a meeting last Thursday.

Banister presented his report to the committee following Dayries' statement.

"Mr. Banister did not inform me that he intended to give or had personally given this material to members of the press and, in my opinion, such action on his part constitutes a violation of sound administrative procedure.

"I wish to advise the members of the council that because of this direct violation of orders, I shall exercise the authority given me and officially reprimand the assistant superintendent of police for his actions."

DAYRIES SAID he wanted it "thoroughly understood" that his action in reprimanding Banister "is based solely on the submission of policy information to the press without clearance... and it does not reflect in any way whatsoever on the contents of Mr. Banister's report."

Banister, in informal remarks before presenting his report, said it was upon the committee's instructions that the report was made.

"I was ordered to make it and the typographical errors in it show the speed with which I had to prepare it," Banister said.

The assistant superintendent said, however, "that the report is factual."

The fact that it was sub-

mitted to the superintendent late shows the speed with which I had to prepare it. The first I knew about having to prepare the report was when I read it in the papers."

TODAY'S SESSION started about 10:30 a. m. with Councilman James Fitzmorris, Jr., presiding. Every council member was present when Banister started his report.

Dayries said Banister was not accorded "a special privilege" in making the report.

"Any member of the New Orleans Police Dept. has the same right," he said, "provided the request and report has been cleared through the chain of command."

"Even in the military service, the lowest rank is granted the opportunity to report to higher authority—provided he first clears with his intermediate superiors."

"We must all observe rules and policies in the New Orleans Police Dept., and that goes for me as well."

DAYRIES SAID he was

"shocked" after last Thursday's meeting of the Council's committee of the whole "to learn that the assistant superintendent of police had called in the press at police headquarters and released copies of his report before he came to City Hall."

"This action on the part of the assistant superintendent of police is in direct violation of the specific orders which I had given to him on May 6 at a departmental staff meeting and on several occasions regarding the proper procedure to be followed in issuing public statements of any nature pertaining to policy matters of the New Orleans Police Dept."

Dayries said he would be "fully responsible for the actions of each man" under his command, but that "it is particularly important that the No. 2 man in command must be subject to the same disciplinary regulations that apply to the men under him."

"In the New Orleans Police Dept., we cannot have one set of regulations and discipline for Mr. Banister and another set for everyone else in the department."

"Since I have assumed my duties as superintendent of police I have endeavored to perform my duties to the best of my ability."

"When I appointed the assistant superintendent of police I did so with the full realization that the New Orleans Police Dept. could only move forward with full co-operation and understanding of the departmental officers."

"It is, therefore, indeed regrettable that I am forced to say to you at this time that, while I have consistently worked toward the aims of understanding and co-operation, I now find that the assistant superintendent does not share this view."

DAYRIES DECLARED that "discipline is the basis for effective organizational work."

"If I do not exercise disciplinary action against the assistant superintendent," he said, "then I am violating my oath of office and consequently I shall lose the respect of the men and women of the New Orleans Police Dept."

Councilman Fitzmorris called for questions on the Banister report when the assistant superintendent finished reading it.

But Councilman Moore and Councilman Fitzmorris both indicated they would rather hear replies that Dayries might have first.

Dayries said he had the "kindest feeling that the FBI has kept me pretty much informed as far as bribery reports are concerned."

Mr. Tolson	
Mr. Nichols	
Mr. Boardman	
Mr. Belmont	
Mr. Mason	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Nease	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

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"I read them and discussed them with Chief Banister and feel that I've been kept abreast at all times," he said.

Dayries then began to read from a second prepared statement—six pages long—prepared as a reply to the Banister's report.

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Dayries Raps Probe Report By Banister

Police Supt. Provosty A. Dayries today criticized assistant Supt. Guy Banister's report on his police probe but agreed that an organized system of graft existed within the department.

Dayries, taking the floor in the city council chamber after Banister presented his report, said part of the statement was "cluttered with such irrelevant passages" and in another section, "my subordinate launches into a critique of the actions I took in several cases where I did not agree with his recommendations."

Comment on Graft
When asked by councilman Fred J. Cassibry if he agreed with Banister that the organized graft system existed until May or June of this year, Dayries replied: "I was informed that this was the case and I feel from what I learned from Mr. Banister that was true."

Cassibry asked Dayries if he was convinced after reading statements which Banister said implicated 91 police officers in the system and Dayries answered:

"Yes, sir. Positively."
Dayries was first to speak today at the council meeting, prior to Banister's delivery of the report, and spoke again after Banister had completed his statement.

In his early remarks, Dayries officially reprimanded Banister for releasing copies of the document to the press before he went to City Hall last Thursday—the day the report was first scheduled to be given.

'Shocked' by Action
Speaking about last Thursday, Dayries said: "I was shocked to

learn (after the council meeting) that the assistant superintendent of police had called in the press and released copies of his report before he came to City Hall."

This action, said Dayries, "was a direct violation of the specific orders I had given regarding the proper procedure to be followed in issuing public statements of any nature pertaining to policy matters of the New Orleans police department."

Dayries made it clear he was calling Banister down only for releasing the report, and not for anything which is contained in it.

Comments on Report
Speaking about the contents of

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Dayries—
the Banister document, the police superintendent said:

"To sum up the contents of the report only about three pages are on the subject called for by the council.

"These three pages are cluttered with such irrelevant passages as will be found on page 11 . . .

"Six and one-half pages of this report, which comprise exactly half of the 13-page report, depart entirely from the intent of the report, 'alleged police bribery.'

"Assistant superintendent Banister, my subordinate, launches into a critique of the actions I took in several cases where I did not agree with his recommendations.

"Gentlemen, I submit to you there must be only one in command. As administrator of the New Orleans police department it is my function and duty and no one else's to decide in each case whether there is guilt or whether the person is innocent."

Refers to Other Cases
Dayries was referring here to cases, not connected with public bribery, in which Banister had recommended dismissal or suspension, and Dayries did not follow the recommendations.

Dayries said in conclusion: "I would like to respectfully again submit to the committee that under the law the superintendent is responsible for rendering all decisions of a disciplinary nature in the department of police. In order to accomplish this he must exercise judgment, fairness and impartiality in considering any and all aspects of a particular situation.

"Each case must be considered individually and on its own merits."

Mr. Tolson	.....
Mr. Nichols	.....
Mr. Boardman	.....
Mr. Belmont	.....
Mr. Mohr	.....
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Nease
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

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Banister's Report

In the city council there seems to exist a spirit of wanting to get the Banister investigative report out of the shadows and into the bright light of scrutiny, whatever it may show—if anything.

Assistant superintendent of police Guy Banister has made available to the council a 13-page mimeographed report of his investigation of the police department. Banister was given his investigative task by the council.

At a meeting of the council's police and fire committee on Thursday, the members voted 6 to 0 to hear the Banister report on Dec. 29.

Councilman James E. Fitzmorris Jr., chairman of the police and fire committee, served notice that at the Dec. 29 meeting, "We are going to sit down and the report is going to be heard. I for one am for moving ahead and not fooling around."

Councilman Fitzmorris' position is sound.

It has been reported in the news frequently that Banister has been investigating alleged police bribery. What has his investigation turned up, if anything?

As councilman Paul V. Burke pointed out at a council meeting on Dec. 15, "It isn't fair to the police department to keep them under a cloud at all times."

Banister's report was not heard at Thursday's meeting because superintendent of police Provosty A. Dayries had not had time to study it. Certainly he should be entitled to make any remarks about the report that he desires. But also certainly, the report should be heard by the council.

As we have said previously, the nagging doubts that exist in regard to the police department ought either to be given substance or given complete refutation. It seems to us that the council is moving in that direction.

Mr. Tolson
 Mr. Nichols
 Mr. Boardman
 Mr. Belmont
 Mr. Mohr
 Mr. Tamm
 Mr. Nease
 Mr. Winterrowd
 Tele. Room
 Mr. Holloman
 Miss Gandy

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CARL CORBIN, EDITOR
 NEW ORLEANS STATES
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Mr. Tamm	
Mr. Nease	
Mr. Winterrowd	
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Mr. Holloman	
Miss Gandy	

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Delay N. O. Cop Probe Report



ASST. Supt. BANISTER, Supt. DAYRIES, CRIME INVESTIGATOR AARON KOHN AND DR. J. D. GREY OF FIRST BAPTIST CHURCH.

... expressions betray tense moments during City Council meeting today.

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Banister Probe Report Delayed

A report on investigations into the New Orleans police department by Asst. Supt. Guy Banister was postponed for a week today by the city council.

Banister was scheduled to make the report before the council meeting as a committee of the whole, after today's meeting. Postponement for a week came by unanimous vote following a motion by Councilman Cassibry, seconded by Councilman Moore.

COUNCILMAN Fitzmorris gave assurance, however, that the report prepared for the Council's police and fire committee "will be heard."

"We're going to go through with this report," Fitzmorris said. "This report will be heard."

He said he was concerned about the week's delay because "every time we delay we create public confusion."

Today's postponement came after a hassle developed over whether Banister should make the report directly since Police Supt. Dayries had not cleared the report.

DAYRIES, WHO told councilmen he didn't receive the report until 9:45 a. m. today and had not had opportunity to analyze it since he was scheduled to meet the Council at 11 a. m., at first declined to say whether he thought it ought to be heard.

Later he said he would agree to Banister's presenting it immediately. But, he said:

"It is not just, proper or polite to give an hour and a quarter to a superior on a matter which strikes at him. It doesn't give him an opportunity to analyze the report, but I am willing to waive this right."

In answer to a question from Cassibry, he said no disciplinary action would be taken against Banister because of information included in the report.

"The only thing I object to is the things in this report that have happened since I became superintendent," Dayries said. He said the misunderstanding was caused by the fact that he understood Banister was to give a progress report on activities of the Special Citizens Investigating Council.

"There is perfect harmony and understanding at the top level of the Police Dept.," Dayries said in a prepared statement. He added that Banister never has been restricted in his duties of investigating police personnel.

HE SAID BANISTER could re-

port to the Council or its police and fire committee any time it is necessary "but only after clearance with the superintendent and mayor, as required by law."

Councilman Burke interrupted Dayries when he told of receiving the report at 9:45 a. m. today.

"Are we to understand that you got the report only at 9:45 this morning and that it has not been cleared by you?"

When Dayries said he had not had a chance to analyze it, Burke suggested to the council that the report should not be presented to the Council until Dayries had time to examine and clear it.

BURKE SAID THAT, in keeping with Council policy, the report should not be given to the group until it was cleared.

Banister then said that he had only a very short notice to prepare the report and pointed out that it required a tremendous amount of research.

He said only two persons were available to do the typing, that he did not finish the report until 6 o'clock last night, and that copies of it had not been mimeographed until 9 a. m. today.

Dayries got the first copy, Banister said.

Council Expects Police Probe Report Thursday

It is hoped that Assistant Police Supt. Guy Banister will make a "full, up-to-date" report to the City Council Thursday on the status of the police department investigation he is conducting.

This was reported today by Councilman Fitzmorris in a letter to Councilman Fred J. Cassibry. Fitzmorris, chairman of the council's police and fire committee, also said the council's session with Banister and Police Supt. Dayries Thursday will be a public meeting.

IT IS HOPED Banister will be able to timetable the investigation—give the council an idea of when the investigation can be wound up Fitzmorris said.

Fitzmorris wrote to Cassibry in reply to a letter from Cassibry last week in which Cassibry asked if Banister would be prepared to give the council a full report on his investigation.

Thursday's meeting was called by the council Dec. 15.

Copies of Fitzmorris' letter today were sent to all council members, Dayries and Banister and the Metropolitan Crime Commission.

SAID FITZMORRIS:

"I have directed" Council Dayries and Banister to appear before the council sitting as a committee of the whole on Thursday right after the regular council meeting for a discussion of the probe Banister is conducting.

It is his understanding, the councilman wrote, that Banister will make a "full, up to date" report to the council and, as far as he, Fitzmorris, is concerned, Banister and Dayries can make any other report that they would like to.

Banister Readies Report On Probe

Assistant Police Supt. Banister said today he is preparing a report on his investigation into alleged irregularities in the police department.

Banister said he does not expect to have the report completed until shortly before he submits it to the City Council Thursday.

Copies will be made available to the press, he said.

The report will contain up-to-date information on all of the investigations which he has completed, Banister said, but will not detail investigations underway.

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Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Winterrowd	_____
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Mr. Holloman	_____
Miss Gandy	_____

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Banister To Report in Public Meet

City Councilman James E. Fitzmorris Jr. said today assistant police Supt. Guy Banister is expected to make a full, "up-to-date" report on his investigation of the police department at a public meeting of the council Thursday.

Banister, head of the police bureau of investigation, has been probing police bribery.

In a memorandum to Councilman Fred J. Cassibry, Fitzmorris said he believes Banister will give the council a date as to when he expects to complete his investigation.

During Meeting

Fitzmorris said he wants Banister's report made during a public meeting following the regular council meeting Thursday.

Previous reports were made behind closed doors to the council's police and fire committee, headed by Fitzmorris.

Cassibry had asked Fitzmorris whether Banister intended to report on the probe to the committee or to the council. He further urged that the meeting with Banister be made public.

'Brought to Conclusion'

And he recommended that Banister's investigation, begun nearly a year ago, be "brought to a conclusion as soon as possible."

With regard to the end of the investigation, Fitzmorris said he feels "it is important that we endeavor to return the police department to at least a semi-normal status as soon as it is humanly possible to do so."

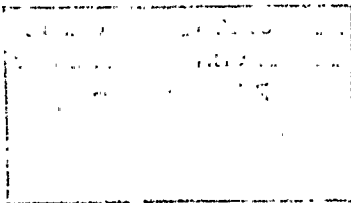
Police Dept. - New Orleans, La. - 12/20/55

J.M.

Mr. Tolson	✓
Mr. Nichols	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓

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Banister Report on Quiz Expected

Councilman James E. Fitzmorris Jr., chairman of the council's police and fire committee, has been asked if Assistant Police Supt. Guy Banister "will be prepared to make a full up-to-date report" to the council "on the result of his investigation of alleged police bribery" at a meeting of Banister and Police Supt. Provosty A. Dayries with members of the council on Thursday.

Fitzmorris said Monday that he would have a reply to make later to the query addressed to him in writing by Councilman Fred J. Cassibry, a member of the committee.

Cassibry in his memorandum dated Friday wrote:

"Concerning our planned meeting with Col. Dayries and Mr. Banister on next Thursday, it is my understanding that Mr. Banister will be prepared to make a full up-to-date report to us on the result of his investigation of alleged police bribery. If this is not your understanding, I wish you would please advise me."

J.P.

Mr. Tolson	
Mr. Boardman	
Mr. Belmont	
Mr. Mason	
Mr. Parsons	
Mr. Rosen	
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Banister Stymied In Probe, Say 2 Groups

The Metropolitan Crime Commission and the Special Citizens' Group reported Saturday that city officials still refuse to give Asst. Police Supt. Banister authority the two believe essential for an independent investigation of the Police Dept.

The two organizations believe Banister should have the right to make reports to City Council's Fire and Police Committee without first getting approval from the mayor and the police superintendent.

The Crime Commission and the Citizens' Group said Saturday that city officials would not grant this power to Banister during a specially called meeting on Nov. 30.

A STATEMENT signed by Dr. J. D. Grey, chairman of the Special Citizens' Group, and Morgan Whitney, president of the Metropolitan Crime Commission of New Orleans, Inc., said that both bodies feel "there should be no restriction whatever on Mr. Banister's authority to report to the City Council Fire and Police Committee."

The statement said this is the only "important point of disagreement" between city officials on the one hand and the Citizens' Group, and the Crime Commission on the other hand.

Despite this disagreement, the statement said, the Crime Commission and the Citizen's Group "will continue to maintain close liaison with the New Orleans Police Dept."

The statement pointed out that Banister was appointed at the mayor's own suggestion to investigate the Police Dept. when a public demand arose for an independent investigation of the department after court action halted an investigation of the Police Dept. by the Special Citizens' Investigating Committee.

The mayor pointed out, according to the statement of Dr. Grey and Morgan, that Banister should be allowed to conduct the investigation "since he was already retained by the city."

Accordingly, the statement goes on, the two groups agreed to an investigation by Banister and the Police Bureau of Investigation (PBI), which he heads, "on condition that certain extraordinary policies be established to warrant confidence in the independence of the investigation."

DESPITE this stipulation of the groups, their statement says, city officials have refused to concede the right of Banister to appoint direct to the city council's police and fire committee, although Banister was to advise the mayor and the superintendent of his intention to make such report and make a copy of it available to them.

The Crime Commission and the Citizens' Group say that Mayor Morrison and Supt. of Police Dayries, first refused to make the concession for a direct, independent report by Banister to the Police and Fire Committee.

Later, when Morrison went on a leave of absence for the gubernatorial campaign, conferences were held with then Acting Mayor Clasen and all councilmen except Fred J. Cassibry and A. Brown Moore.

But these city officials also refused to grant the concession, says the statement of the Crime Commission and Citizens' Group.

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mason	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
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Police Department - New Orleans Louisiana

Banister Power Put Up to Clasen

Acting Mayor Glenn P. Clasen reported Tuesday that he was in process of preparing a reply to a letter from the Metropolitan Crime Commission regarding the authority of Assistant Police Superintendent Guy Banister.

In a letter dated Nov. 14 signed by its chairman, Chester A. Mehurin, its treasurer, the commission asked Clasen whether Banister is authorized to report to the city council's police and fire committee without the mayor's approval.

Clasen said that he was in process of preparing his reply to the question, but declined to disclose what his answer would be. However, Clasen said that he hoped to be able to make public his reply on Wednesday.

Mehurin wrote that Clasen's opinion was needed to clarify "differences of opinion" which arose after a Sept. 15 meeting between Mayor deLesseps S. Morrison, city council and representatives of the crime commission and a citizens' group.

Mr. Tolson	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

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Clarification of Banister Power Needed

In the confusion over authority that has developed in the top echelon of the police department regarding suspensions and recommended dismissals, clarification by Mayor Morrison ought to be forthcoming.

The police department is directly under his control. We recall him saying last May, "I have the police department each and every day as my primary business."

In that "primary business" of the mayor, friction between the superintendent and the assistant superintendent—who occupies a special investigative position—has flared into public view.

Assistant Superintendent Banister suspended an officer. In less than 12 hours, Superintendent Dayries, after consulting with the mayor, voided the suspension and reprimanded Banister.

Four days later Banister disclosed that he has recommended the dismissal of the homicide chief and an investigator assigned to the coroner's office. Dayries has said he has been studying the recommendation for some time.

Mayor Morrison, declining to enter publicly into the Dayries-Banister differences, commented that "Dayries is running the department" and that he would consult with the mayor from time to time.

Back when Banister was the third-ranking member of the department—before he was promoted to his present No. 2 position—his duties and powers were outlined in some detail in a 12-point policy statement.

A natural question arises as to whether the policy which applied to Banister as the No. 3 man still holds for him as No. 2 man. Mayor Morrison ought to say so, specifically.

CARL CORBIN, EDITOR
NEW ORLEANS STATES
NEW ORLEANS, LA.

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The policy statement was issued last April by Dr. J. D. Grey, chairman of a special citizens group, and Morgan Whitney, president of the Metropolitan Crime Commission. Dr. Grey said the mayor signed a draft of the joint statement.

"Mayor Morrison," the statement said, "in response to specific questions, assured us that his directives to Mr. Banister include the following policies:

"1. That Mr. Banister and the police bureau of investigation shall examine into matters which involve administrative misconduct, as well as criminal acts, 'without limitation' as to the scope of the investigation.

"2. That with regard to the current investigation of the police department, Mr. Banister will not be responsible to either Supt. Scheuering or Assistant Supt. Provosty A. Dayries, but will have direct responsibility to the mayor.

"3. That, if the superintendent, the assistant superintendent, or any other member of the police department or other department of the city government fail to give him full co-operation, Mr. Banister is to report this matter to the mayor.

"4. That, 'without any qualifications,' Mr. Banister is authorized to recommend the suspension or discharge of any member of the police department regardless of rank. Mr. Banister's official position empowers him to suspend anyone of a rank lower than his own, but recommendations for discharge must be, and will be, referred to the superintendent.

"5. That upon receipt of such recommendations from Mr. Banister, the mayor will take action and 'back up' Mr. Banister.

"6. That if any police officer is established by the investigation to be guilty of either administrative or criminal misconduct, he will be removed from the police force without regard to criminal prosecution which may or may not follow. It is under-

stood, of course, that such discharged policemen have recourse to appeal through the civil service commission."

The remaining six points do not appear to bear particularly on the Dayries-Banister friction.

But the text of the first six, in our opinion, makes it incumbent on Mayor Morrison to clarify the authority and responsibility of Banister as No. 2 man under Dayries as compared to Banister as No. 3 man under Joseph L. Scheuering, the former superintendent.

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
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Mr. Holloman	
Miss Gandy	

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 Mr. Mohr _____
 Mr. DeLoach _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. Felt _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Tele. Room _____
 Mr. Holloman _____
 Miss Gandy _____

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Rogers
D.S.

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DAYRIES

Urges Action Also Against Three More

Police-

Banister recommended their dismissal, charging inefficiency in the investigation of a murder case in which a suspect was charged and another man later confessed the crime.

In the case referred to by Banister, charges of murder against Louis Jones, 39-year-old Negro, were dismissed after Negro Albert Harris confessed the killing of Roger McDonald, 35, Negro, slain Dec. 12.

Dayries said the police bureau of investigation's report on the case was voluminous and would take some time to study.

He said he received it "some while ago."

Dayries at first refused to talk about the Banister recommendation, then admitted it has been made and he is studying it.

Dayries then was asked about clarifying lines of police authority, the matter brought up by Fitzmorris and Clasen and referred to Dayries by the mayor.

Dayries' Statement
The police superintendent retired into a private conversation with Morrison, police information officer Capt. Al Theriot and police secretary Maj. Albert Blanche, then made this statement:

"I have no clarification except the letter I wrote (to Banister). I am superintendent of police. I make the rules, not somebody under me.

"The job is untenable otherwise. My letter stands the way I wrote it."

Dayries said the regulations are that any high-ranking police officer can suspend on the spot, when such action is necessary. However, he said this did not apply to a case such as the DePaoli matter, where the case had been under study for some months.

Says Banister Informed
Dayries said Banister has been present in staff meetings where this policy was outlined.

"It was thoroughly understood and never changed," Dayries said.

Council president Clasen, in officially requesting the police-fire departments committee to investigate all the suspension recommendations, declared:

"I believe that because such suspensions and dismissals recommendations have been discussed we should clear up this kind of talk and get the facts in all these matters."

"Frankly, I do not think that the above should be the concern of strictly the administrative branch of city government but rather matters with which both the administrative office and the city council should both be familiar."

When Fitzmorris and Cassibry asked Morrison to issue a statement, clearing up police authority, they said the council would look into the entire question if such a statement was not forthcoming.

"I feel it is important that officers in the police department know where their authority begins and where it ends," Cassibry said.

"If the mayor either neglects or refuses to clarify this, it may be a subject for the city council."

Fitzmorris said: "If the clarification is not forthcoming, the council committee will look into the whole question."

Suspended by Banister

Banister suspended traffic supervisor DePaoli last Thursday at 9a. m. and Supt. Dayries restored him to duty at 8:45 p. m.

Banister had charged negligence, neglect, insubordination and disobedience. Dayries reprimanded Banister for this action.

Earlier, Mayor Morrison, in making his first public comments on the DePaoli incident, refused to say whether he ordered DePaoli restored to duty.

"Col. Dayries (Provosty A. Dayries, police superintendent) keeps me informed as to what action he is taking and uses his own judgment as to when to consult me," the mayor said.

"Col. Dayries has been running the department. I suppose he is going to consult me from time to time!"

Telephone Conversation

After Banister ordered DePaoli suspended, Supt. Dayries talked with Morrison by phone that afternoon. Only hours later, Dayries ordered DePaoli reinstated.

Dayries, in directing DePaoli back to duty, criticized Banister for acting with "gross indiscretion" and "confrary to law and my policy."

Banister suspended DePaoli on the basis of the traffic supervisor's answer to a letter from Banister saying an investigation of two patrolmen charged with extortion should have been turned over to the police bureau of investigation.

Police Supt. Provosty Dayries confirmed today he is studying a recommendation from Guy Banister calling for dismissal of homicide chief Capt. William Dowie, and coroner's investigator Sam Moran and suspension of two detectives.

The disclosure came in the wake of these other developments, set off by the Banister Dayries dispute over the suspension and reinstatement of Maj. Joseph R. DePaoli:

1. City council president Glenn P. Clasen gave Councilman James Fitzmorris an official request to get a complete explanation of the DePaoli matter and also look into Banister's recommendation that Dowie and Moran be dismissed and the other two suspended.

2. Councilman Fitzmorris and Fred Cassibry called upon Mayor Chas Morrison to clarify lines of authority in the police department. Morrison referred the matter to Dayries.

Dayries Sees Mayor

Dayries, reached at City Hall, where he met with Mayor Morrison this afternoon, confirmed that he has been studying for some time Banister's report calling for dismissal of Dowie and Moran and suspension of Det. William J. Stevens and Ptn. John W. DePuget, assigned to the detective bureau.

The police superintendent said

Ask Mayor To Clarify Cop Issue

Councilmen Cassibry and Fitzmorris today called on the city administration to "clarify" the question of police authority. The two councilmen said they felt the situation which developed last week when Traffic Supervisor Maj. DePaoli was suspended by Asst. Police Supt. Guy Banister and later reinstated by Supt. Dayries should be "ironed out."

They called on Mayor Morrison to clarify the matter to make a statement about who has the authority to do what in the police department.

MAYOR MORRISON, however, brushed aside the councilmen's suggestion and said:

"Ask Col. Dayries for a clarification of the situation. His duties are clearly outlined in the City Charter."

Dayries was contacted at the conclusion of a staff meeting in Mayor Morrison's office.

He was asked if he would "clarify" the situation as suggested by Morrison.

DAYRIES ANSWERED:
"I have no comment on that. I have no comment on anything. I want to talk to the mayor first."

Dayries then had a five-minute huddle with Mayor Morrison at the rear of the mayor's parlor, along with Capt. A. Theriot and Maj. Albert Blancher.

Asked again to clarify the situation, Dayries then said:

"I have authority under the charter. I made the rules—not someone under me."

"There's only one way to do it. The head of the department makes the rules. Otherwise my position would be untenable. My letter stands."

Dayries explained that the letter referred to is one he had written Banister regarding who

has authority to suspend police officers.

DAYRIES SAID there has "never been any change in the Police Department suspension policy."

"Any senior police officer can suspend on the spot," Dayries said. "If he sees a police officer break a department rule or break the law he can suspend on the spot, but he should notify the superintendent immediately he has taken such action."

Asked if Banister understood the suspension policy, Dayries replied, "We have had numerous discussions at meetings. Banister has been at the meetings."

Asked if the DePaoli situation might have been considered an on-the-spot suspension, Dayries replied:

"If you want to call a month-long situation an on-the-spot suspension, I guess you could. But as far as I'm concerned, that's not on the spot."

Dayries said he was aware of the issues involved in the DePaoli situation for some time.

Both Fitzmorris and Cassibry, members of the police and fire committee, said they felt the council committee should look into the situation unless public clarification is made in the very near future.

"I think if the mayor refuses to clarify the situation, it will become a matter for the committee," Cassibry said.

- Mr. Tolson
- Mr. Boardman
- Mr. Nichols
- Mr. Belmont
- Mr. Ladd
- Mr. Clegg
- Mr. Glavin
- Mr. Harbo
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn
- Mr. Nease
- Miss Gandy

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Banister Asks Cops For Finance Data

Asst. Police Supt. Banister is sending out questionnaires to New Orleans policemen asking for:

Complete statements of financial standing.

Power to examine federal income tax returns.

THE BULK OF THE questionnaires have reportedly been distributed by the Police Bureau of Investigation to officers in the Fifth District.

The request for financial information is an eight-page questionnaire asking complete details on each man's assets and liabilities.

The other portion of the documents being handed to New Orleans policemen is a one-page statement to be signed by the officer.

This statement would give "Power-of-Attorney to Guy Banister" to examine and/or obtain copies of income tax returns since 1947.

No pressure has been reported to have the men return the forms other than the advice that "it would be a good idea" to do so.

They were reportedly given 10 days in which to submit the completed papers to Banister's office.

IT IS UNDERSTOOD that a number of policemen's wives, who filed joint income tax returns with their husbands, have refused to co-sign the power-of-attorney statement.

Where joint returns have been filed, signatures by both filing parties would be required on such a statement for it to be effective.

(During the investigation of the Chicago police department court action stopped a similar attempt to scan income tax records of policemen.)

The request for financial information asks for detailed information on nine basic categories under the heading of assets and four basic categories

under the heading of liabilities.

The asset headings are cash in banks, cash on hand, business investments at cost, accounts and other loans receivable, securities at cost, real estate at cost, life insurance and annuities at cost, personal effects at cost, and other assets at cost.

Under the heading of "Liabilities" the form asks for information on loans on insurance, mortgages payable, other loans payable and other liabilities.

THE QUESTIONNAIRE also asks for:

An estimate of living expenses for one calendar year.

Information on disposal of any assets or property in the past 10 years.

Information on any other assets other than those covered elsewhere in the questionnaire.

Location of safety deposit boxes rented by the signer.

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

Allen

26617

NOT RECORDED
178 SEP. 13 1955

NEW ORLEANS ITEM
NEW ORLEANS, LA.
9/22/55
Pg. 4 Col. 4 & 5

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AUG 22 1955	
FBI - NEW ORLEANS	
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68 SEP 9 1955

9th



THAT'S MAJ. DePAOLI ON THE RIGHT AND SUPT. DAYRIES ON THE LEFT. ASST. SUPT. BANISTER IS THE MAN IN THE MIDDLE

Mr. Tolson	✓
Mr. Boardman	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Harbo	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Sizoo	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

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 WPN
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 Rogers
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Dayries Takes New Stand

Police Dept. Showdown

Assistant Police Supt. Banister called a showdown Thursday when he suspended Maj. Joseph DePaoli.

The issue was:

Does Banister, as head of the Police Bureau of Investigation, have a free hand to challenge a member of the "old guard" in the department?

The answer was:

No. Not unless he has the permission of Supt. Dayries and Mayor Morrison.

Banister suspended DePaoli on charges of (1) having assumed authority over an investigation which should properly have been made by the PBI, (2) having then failed to follow the case or review it and (3) having shown insubordination by writing a defiant letter to Banister, his superior officer.

Supt. Dayries sat through the day without comment. Then, late in the afternoon, Mayor Morrison returned to the city and discussed the affair with him.

Three hours later, Dayries issued an all stations bulletin rescinding DePaoli's suspension. Still later, he released a public letter sternly rebuking Banister for "gross indiscretion."

Dayries made three principal points in his letter of reprimand.

¶ The first was that Banister had no right to suspend DePaoli himself, but should merely have asked Dayries to do it.

¶ The second was that Banister had no right to inquire into DePaoli's handling of the investigation in question without specific orders from Dayries.

¶ The third was that DePaoli was under no obligation to submit the case (an investigation into extortion charges against two members of the traffic division which DePaoli heads) to the PBI.

On all three of these points, Dayries has now defined a position considerably

POLICE DEPARTMENT
NEW ORLEANS, LA.

GEORGE CHAPLIN, EDITOR
 NEW ORLEANS ITEM
 NEW ORLEANS, LA.
 8/21/55
 Page 10 Col. 1 & 27

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 138 SEP 12 1955

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different from that he has taken in the past.

For instance, as to the authority of ranking officers to suspend their subordinates, Dayries said this on May 22:

"When a man is found not to be doing his job effectively, the district commander should immediately recommend his removal or disciplinary action.

"He can even suspend a man on the spot—he has that authority."

(And in recent weeks, we have seen several instances of suspensions-on-the-spot ordered by district commanders when they felt the occasion warranted it. Banister thus might feel justified in considering a defiant letter from DePaoli was such an occasion).

And on points two and three, here is how Dayries described the authority of the assistant superintendent in his formal announcement of Banister's appointment on June 15:

"The assistant superintendent is responsible for all training and matters affecting internal affairs. The latter includes investigation of conduct of police personnel and matters pertaining to security of the department."

(Thus Banister — and the public — were given the impression that he was to have full charge of investigating police conduct, and to have a free hand in deciding where and when to investigate. There was no mention of any such regulation as the one now cited by Dayries that "all such cases are to be referred to the superintendent, who, in turn, decides whether action by the FBI is necessary.")

Banister's action appears to have been a showdown test of his authority and freedom within the department.

He has his answers.

Probe Banister- Dayries

Mr. Tolson	✓
Mr. Boardman	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. DeLoach	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. Felt	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	✓
Mr. Trotter	✓
Tele. Room	✓
Miss Gandy	✓

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Dispute, Clasen Urges Full Report On DePaoli Case Sought

Council president Glenn P. Clasen today called upon the city council's police-fire committee to investigate the dispute between New Orleans' two top-ranking police officers over the suspension and reinstatement of Maj. Joseph R. DePaoli.

Clasen said the committee should ask Police Supt. Provosty Dayries and assistant Supt. Guy Banister to make a full report "on what transpired in the incident."

Banister suspended DePaoli at 9 a. m. yesterday, charging insubordination, negligence, disobedience, and neglect.

Dayries restored DePaoli to duty last night, and reprimanded Banister for his action.

Administrative Matter

Councilman James E. Fitzmorris, chairman of the council committee, said he would bring the matter before members, but he believed it was an administrative matter.

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138 SEP 12 1955

NEW ORLEANS STATES
NEW ORLEANS, LA.
8/19/55
Page 1 Col. 5 & 6

71 SEP 15 1955

Councilman Fred Cassibry commented:

"It doesn't look very good to see the chief and assistant chief feuding over something that should be resolved."

Councilman A. Brown Moore, who along with Cassibry is a member of the committee, said he would be glad to get more information on the incident, and added: "But it sounds like an administrative matter."

Councilman Victor H. Schiro expressed his opinion the council should "definitely" look into it.

Full Information

"There may be some merit to what Banister says, I don't know, Schiro said. "But I do think the council should have full information on it."

Councilman Walter M. Dufour and Paul V. Burke declined to comment. Mayor Chep Morrison was out of the city.

Meanwhile, Banister today de-

(Continued from Page 1)

nied rumors that he is considering leaving his position.

Specific Answer

"Write this as a specific answer to the rumor that I am going to quit," Banister directed. "I ain't not going anywhere."

And DePaoli today had only this comment: "There is nothing I can say now. I think my reinstatement vindicates my position completely."

Dayries ordered DePaoli restored to duty at 8:45 p. m. yesterday, some 11 hours and 45 minutes after Banister had suspended him, recommending that he be kept off the force for 20 days.

The police superintendent, in a letter to Banister, called the suspension "a gross indiscretion" and "contrary to law and my policy."

On Dayries' Orders

Today, Banister said his review of a police investigation which led to the action against DePaoli was made on orders from Dayries.

He added: "My recommendations were submitted to him (Dayries). The final word, the final action and the final responsibilities belong to Supt. Dayries."

Asked if this were his final statement on the matter, the assistant superintendent replied: "I am not going to engage in any controversy."

Banister suspended the major

after an exchange of letters involving an investigation conducted by Lt. Craton Stouff, motorcycle division commander, into charges that Pt. Luke DeLatour and Ptn. William Peters had committed extortion.

Reprimands DePaoli

Banister reprimanded DePaoli for not referring the case to the police bureau of investigation and held him responsible for what he called the amateurish way in which the probe was conducted.

Supt. Dayries took no action on Banister's suspension order, issued at 9 a. m. yesterday, until last night, after he had talked with Mayor Chep Morrison.

Dayries talked with the mayor about 5:30 p. m. and issued the reinstatement and criticism of Banister at 8:30 p. m.

Today, asked about Banister's comment that he had asked the review of the extortion case investigation, Dayries said:

"I wanted him to review the case of these two officers, not the investigation made by Lt. Stouff.

Clash Over Powers

"I wanted him to review to obtain additional data in connection with the extortion case against DeLatour and Peters." The case was against them, not against Stouff and DePaoli."

Banister and Dayries also clashed on the question of whether or not the assistant superintendent has the power to suspend an officer.

At the time he directed DePaoli to turn in his badge yesterday, Banister said he had the authority to order suspensions up to five days.

Dayries said today: "The charter does not give it to him."

Dayries' Contention

He contended the assistant superintendent can suspend only when such action is immediately necessary due to circumstances which demand immediate action.

The traffic supervisor never did turn in his badge or credentials yesterday, as directed by Banister; and announced he had no intention of doing so.

In his message reprimanding Banister for suspending DePaoli, Dayries said he had the sole suspending authority, and added:

"I consider the sending of such a message as a gross indiscretion on your part in that although

I was available you failed to first refer the matter to me for consideration."

The police superintendent said he did not concur that DePaoli was insubordinate, and added, "positively there was no disobedience of orders on the part of Maj. DePaoli."

Letter By Dayries

This is the letter written by Dayries to Banister:

"References is made to copy of letter this date written by you to Maj. Joseph DePaoli, which was followed later by your memorandum to me subject, 'Joseph R. DePaoli, supervisor.'"

"By departmental message 116 sent out by me at 8:15 p. m. this date I have voided your message No. 112 sent out by you at 9:55 a. m. today.

"Your message ordered the suspension of Maj. DePaoli, effective 9 a. m.

"I consider the sending of such a message as a gross indiscretion on your part in that although I was available you failed to first refer the matter to me for my consideration.

"The superintendent or acting superintendent has the sole authority to suspend or dismiss a member of the department.

"You have been acquainted with the fact that ranking officers have only been delegated the authority of suspension when such action is immediately necessary due to circumstances which demand such immediate action. The actions contained in your message and letter were deliberate and contrary to law and my policy.

'Do Not Concur'

"I do not concur in your recommendation towards disciplinary action against supervisor DePaoli.

"No investigations of Maj. DePaoli and Lt. (Craton) Stouff were ordered by me in this case. The morning following the arrest of Ptn. William Peters and Luke DeLatour I reviewed the reports and found ample facts upon which to take action in dismissing the two patrolmen. These reports were reviewed separately with me that morning by Maj. DePaoli and Lt. Stouff. Following the dismissal action, I referred the entire matter to you for further review.

"There was no reference made

at that time or later which would indicate to you that I had any intention of investigating Maj. DePaoli or Lt. Stouff regarding their handling of this case.

"I do not concur that Maj. DePaoli was insubordinate when he stated in his own defense in his memorandum of 9 August, 1955, that 'the attempt to attribute to me the full burden of responsibility for the shortcomings mentioned is ridiculous.'"

'In Poor Taste'

"There is no doubt in my mind that the choice of words used were in poor taste.

"Positively, there was no disobedience of orders, on the part of Maj. DePaoli. While, it is true, that you considered the delay such that you decided to remind him to send a reply to your memorandum, there is nothing to indicate that he at anytime intended to refrain from answering.

"As to your third recommendation of an additional 10 days suspension I cannot concur in your charges as I have stated above that Maj. DePaoli was fully cognizant of the investigation into the case of these two officers.

"Maj. DePaoli was not derelict of his duties by not submitting this case directly to the police bureau of investigation, since all such cases are to be referred to the superintendent, who, in turn, decides whether action by the FBI is necessary.

"In conclusion, you are directed that in the future you will submit all matters concerning disciplinary action to the superintendent for his consideration and his decision. This is in accord with provisions of the home rule charter specifying the authority of the superintendent of police."

Started Over Probe

The disagreement between Banister and DePaoli began over the handling of an investigation into charges that traffic patrolman DeLatour and Peters accepted \$8 from three Negroes whom they gave traffic tickets rather than jail them on more serious charges.

Lt. Stouff, motorcycle division commander, headed the investigation. The two policemen were fired July 2.

Banister said he wrote DePaoli

on July 25, questioning the place of the traffic division in conducting the investigation. Banister did not release this letter, but said it was a reminder that the police bureau of investigation was the proper unit to look into alleged misconduct of policemen.

DePaoli's Reply

DePaoli, replying to Banister's first letter, defended Lt. Stouff's investigation. "The alleged discrepancies in handling the matter by Lt. Stouff I can do nothing about, not having been personally on the case with the lieutenant," DePaoli wrote.

The traffic supervisor also said "the attempt to attribute to me the full burden of responsibility for the shortcomings mentioned is ridiculous."

Banister's reply to this was his letter issued yesterday in which he ordered DePaoli suspended.

In that letter, Banister accused DePaoli of negligence in not referring the matter to the police bureau of investigation, and told him his entire reply constituted disobedience.

Assumed Responsibility

Banister wrote that when DePaoli assumed jurisdiction over the case of the two policemen, he also assumed responsibility for the manner in which the investigation was handled.

"Your statement that you have no responsibility in the matter betrays an abysmal ignorance on your part of the duties of a commanding officer in the New Orleans police department," Banister wrote DePaoli.

"It does not appear that you had enough interest in the case to read and review the reports. Certainly, there is no indication anywhere that could be found, that you made any effort to take administrative action against your subordinates in the inefficient manner in which he conducted the investigation.

Called Disobedience

"Your letter of reply constitutes disobedience of orders."

Yesterday morning, Banister ordered the message suspending DePaoli sent out to all police districts on the police teletype. It read:

"Supervisor Joseph R. DePaoli has been suspended, effective 9 a. m. this date, for insubordination, disobedience of orders, inefficiency in supervision and neglect."

That order was to have been

made effective at 9 a. m. yesterday, and DePaoli was ordered by Banister to turn in his credentials, badge, and his gun if it belonged to the department.

DAYRIES REPRIMANDS BANISTER IN DISPUTE

De Paoli Suspension Is Voided by Superintendent

The superintendent of police administered a strong reprimand to the assistant superintendent Thursday night in a conflict that has arisen between the two over disciplining a subordinate officer.

Involved were:

Maj. Joseph R. DePaoli, the police department's supervisor of traffic, who was restored to duty only 11 hours and 45 minutes after he was suspended.

Guy Banister, assistant superintendent of police, who ordered DePaoli suspended early in the day.

Col. Provosty A. Dayries, superintendent of police, who Thursday night voided Banister's suspension of DePaoli.

The day's events came in this order:

Effective at 9 a. m. Banister suspended DePaoli for 20 days for insubordination, disobedience of orders, inefficiency in supervision and neglect.

About 5:30 p. m. Mayor deLesseps S. Morrison called Col. Dayries and discussed Banister's action, according to Dayries.

Bulletin Issued

At 8:45 p. m. Dayries issued an all stations bulletin voiding Banister's suspension of DePaoli.

Then at approximately 11:30 p. m. Dayries made public a letter to Banister calling the assistant superintendent's suspension of DePaoli "a gross indiscretion," "deliberate," and "contrary to law and my policy."

After the issuance of the 11:30 p. m. letter Banister could not be located for comment. However, after Dayries' 8:45 p. m. order went over the police teletype, Banister said, "Col. Dayries has the final word, the final authority and the final responsibility."

It was reported the two men had a stormy face to face meeting during the afternoon at police headquarters.

At two different times during the day, prior to the issuance of his letter reprimanding Banister, Dayries was queried by reporters.

Immediately following the dispatch of his order restoring DePaoli at 8:45 p. m., he said he had been contemplating issuing the message since he read of the suspension, but that he had not done so because of the press of other police business.

At that time, too, he said that DePaoli was being restored to duty pending an investigation by him (Dayries) into Banister's charges. He said he planned to study the matter and take whatever action proved necessary.

He said Morrison called him about the suspension on his return to New Orleans Thursday afternoon. The mayor had been in Southwest Louisiana.

Declined Comment Earlier

During the morning Dayries declined comment on the matter, saying he had not had time to study Banister's suspension letter. He stated then he might have a comment Friday.

He declined to say during the morning whether he knew in advance that DePaoli was to be suspended.

Comments from Letter

Some of the comments from Dayries' letter were these:

"The superintendent . . . has sole authority to suspend or dismiss a member of the department.

"I do not concur in your recommendation towards disciplinary action against supervisor DePaoli.

"I do not concur that Maj. DePaoli was insubordinate . . .

"Positively, there was no disobedience of orders . . .

In the future you will submit all matters concerning disciplinary action to the superintendent . . ."

Morrison had no comment and referred reporters to Col. Dayries.

Maj. DePaoli said his restoration vindicated his contention that he should not have been suspended to begin with.

DePaoli disagreed with Banister earlier in the day, too, about Banister's order for him to "report to the personnel office and surrender your badge, your credentials, and your side arms, if department property. . ."

DePaoli said he did not turn in his badge and shield and had no intention of doing so.

"Never in my 21 years on the police force has any man suspended been ordered to turn in his badge except when he was fired," DePaoli said, adding, "This is the first time I've ever been suspended."

Dayries, De Paoli Confer

When the announcement of the suspension broke Thursday morning Maj. DePaoli conferred with Col. Dayries. He said at that time he presumed Dayries was upholding the suspension because "the fact I am suspended must mean he upheld it."

The suspension resulted from an investigation of extortion charges by the traffic division against Ptn. Luke De Latour Jr. and Ptn. William Peters, who were fired July 2 as result of charges that they allegedly accepted \$8 from three Negroes whom they had given traffic tickets rather than taking them to jail on more serious charges.

The two patrolmen were arrested by Lt. Craton Stouff, commander of the motorcycle division, and Sgt. Charles Giroir who provided the marked money allegedly given De Latour and Peters. Lt. Stouff also conducted

Mr. Tolson	✓
Mr. Boardman	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Harbo	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Sizoo	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

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138 SEP. 8 1955

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THE TIMES-PICAYUNE
NEW ORLEANS, LA.
8/19/55
Page 1 Col. 6 - 8

68 SEP 9 1955

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the investigation of the incident. Banister released two letters in connection with the suspension, the one notifying DePaoli of the suspension and another which was the report DePaoli made concerning the investigation.

Banister said he had written DePaoli July 25 inquiring about the propriety of the traffic division conducting the investigation into the alleged misconduct of the two officers. He said it was in the form of a reminder that the police bureau of investigation, which Banister heads, was the proper unit to make the investigation.

Defends Stouff's Investigation

In his letter to Banister, DePaoli defended Lt. Stouff's investigation, declaring that the "alleged discrepancies in handling the matter by Lt. Stouff, I can do nothing about, not having been personally on the case with the lieutenant.

"The attempt to attribute to me the full burden of responsibility for the shortcomings mentioned is ridiculous. Lt. Stouff has better than 25 years or more on the job, and until now, I don't know where his ability to handle an investigation was questioned.

"But, whether questioned or not, to try to force the blame on another, for someone's shortcomings, over which acts one had no power, would be like trying to make one his brother's keeper.

"The lieutenant investigated the case, he handled the matter as he saw the facts, the method and manner in which he saw fit to act, were his, and his alone. To hold otherwise would be to hold one responsible for acts over which he had no control."

Banister's Answer

In his letter to DePaoli, Banister said, "You refer in your answer to my inquiry that Lt. Stouff handled this matter as he saw the facts, and that the method and manner in which he saw fit to act were his and his alone. You state to hold otherwise would be to hold one responsible for acts over which he has no control.

"You proceed also to state that an attempt is being made to attribute to you the full burden of responsibility for the shortcomings mentioned in my letter to you of July 25, 1955, and that to do so is ridiculous. It is pointed out to you that when you assumed, without authority according to the record, jurisdiction in this case, you also assumed responsibility for the manner in which it was handled."

Banister said, "My letter wa

submitted to you listing the errors found for constructive purposes. Your statement that you have no responsibility in the matter betrays an abysmal ignorance on your part of the duties of a commanding officer in the New Orleans police department. A commander shares in all of the rewards of success and he also assumes responsibility for failure.

"It is apparent that you walked off and left this case instead of issuing direct and specific instructions, if nothing more, to Lt. Stouff. Had you issued such instructions, it is assumed that Lt. Stouff would not have made the errors discovered in a review of this case.

"The language you have used in the last three paragraphs of your memorandum is most unbecoming to a man of your position and your years of service. You describe an inquiry directed to you by a superior official of the department as an attempt to place upon you the full burden of responsibility and as ridiculous. This, of course, is insubordination. Such language should not be used at any time when replying to a superior officer."

"Disobedience of Orders"

Banister said further, "There is nothing in the record to indicate that you followed the case. It does not appear that you had enough interest in the case to read and review the reports. Certainly, there is no indication anywhere that could be found, that you made any effort to take administrative action against your subordinate for the inefficient manner in which he conducted the investigation.

"Your letter of reply constitutes disobedience of orders.

"It is pointed out specifically that the errors made in conducting the investigation are directly attributable to you in that you failed to guide and direct the efforts of your subordinates. Further, from the beginning the investigation was inefficiently and amateurishly handled.

"You were negligent in not referring the whole matter to the FBI as soon as you received the complaint."

The letter sent by Col. Dayries to Banister in which he said he had voided Banister's message suspending DePaoli follows:

"References is made to copy of letter this date written by you to Maj. Joseph DePaoli, which was followed later by your memorandum to me subject, 'Joseph R. DePaoli, supervisor."

"By departmental message 118 sent out by me at 8:15 p. m. this date I have voided your message

No. 112 sent out by you at 9:55 a. m. today.

"Your message ordered the suspension of Maj. DePaoli, effective 9 a. m.

"I consider the sending of such a message as a gross indiscretion on your part in that although I was available you failed to first refer the matter to me for my consideration.

"The superintendent or acting superintendent has the sole authority to suspend or dismiss a member of the department.

"You have been acquainted with the fact that ranking officers have only been delegated the authority of suspension when such action is immediately necessary due to circumstances which demand such immediate action. The actions contained in your message and letter were deliberate and contrary to law and my policy.

"I do not concur in your recommendation towards disciplinary action against supervisor DePaoli.

"No investigations of Maj. DePaoli and Lt. (Cration) Stouff were ordered by me in this case. The morning following the arrest of Ptn. William Peters and Luke Delatour I reviewed the reports and found ample facts upon which to take action in dismissing the two patrolmen. These reports were reviewed separately with me that morning by Maj. DePaoli and Lt. Stouff. Following the dismissal action, I referred the entire matter to you for further review.

"There was no reference made at that time or later which would indicate to you that I had any intention of investigating Maj. DePaoli or Lt. Stouff regarding their handling of this case.

"I do not concur that Maj. DePaoli was insubordinate when he stated in his own defense in his memorandum of 9 August, 1955, that 'the attempt to attribute to me the full burden of responsibility for the shortcomings mentioned is ridiculous."

"There is no doubt in my mind that the choice of words used were in poor taste.

"Positively, there was no disobedience of orders on the part of Maj. DePaoli. While it is true,

that you considered the delay such that you decided to remind him to send a reply to your memorandum, there is nothing to indicate that he at anytime intended to refrain from answering.

"As to your third recommendation of an additional 10 days suspension I cannot concur in your charges as I have stated above that Maj. DePaoli was fully cognizant of the investigation into the case of these two officers.

"Maj. DePaoli was not derelict of his duties by not submitting this case directly to the police bureau of investigation, since all such cases are to be referred to the superintendent, who, in turn, decides whether action by the FBI is necessary.

"In conclusion, you are directed that in the future you will submit all matters concerning disciplinary action to the superintendent for his consideration and his decision. This is in accord with provisions of the home rule charter specifying the authority of the superintendent of police.

"Yours Very Truly,
"Provosty A. Dayries,
"Superintendent of Police."

BANISTER CITES PUBLIC'S ROLE

Says Co-operation of
People Only Solution

Police department secretary Guy Banister said Thursday that when vice law violations persist, "either the laws are inadequate or law enforcement agencies are restrained from acting."

He talked on "The People's Responsibility" in an address at a luncheon meeting the Mid-City Kiwanis Club had in Lenfant's restaurant. He blamed public apathy in the past to present problems.

Banister said, "We can solve the problem of criminals and we can solve the problem of the inefficient policeman only with the co-operation of the public."

"We ask you to back us in making a good police force—as part of your responsibility."

Banister said he was "invited" by Mayor deLesseps S. Morrison to join the New Orleans police department and that the mayor "told me he wanted the city cleaned up."

One of his functions is "the tremendous job of investigating graft—the payment of money for non-enforcement of laws—in the police department," Banister said.

"But I'm having trouble finding witnesses," he added.

In calling on the public to assist, Banister said that persons who don't accept their responsibilities as citizens and don't report violations are "just as guilty" as persons on FBI wanted lists.

He said that New Orleans was at the bottom of the scale among cities of its size in the matter of crime.

The police official declared that "the city bought a high crime wave and that the problems of today can be traced to the time New Orleans police first started accepting graft."

The condition developed steadily over the years and resulted in an influx of the type of criminal which thrives on "co-operative" police, he said.

Banister said "the lot of a policeman is not a happy one" and told of such expenses as the pur-

chase of ammunition for his service pistol out of his small salary.

He said there were "many hazards in the profession," naming as one of them the newspaper reporters, whom he described as "keepers of the garbled word."

And he touched on the high incidence of traffic violations, blaming much of them on lack of courtesy on the part of the motorists.

- Mr. Tolson
- Mr. Boardman
- Mr. Belmont
- Mr. Ladd
- Mr. Nichols
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- Mr. Mohr
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- Miss Gandy

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 FBI - NEW ORLEANS
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CASSIBRY

SCORES

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03 JUN 6 1955

Promises Data From Banister

City Councilman Cassibry today labeled Councilman Fitzmorris as Mayor Morrison's "apologist" on City Council.

In a prepared statement, he also:

¶ Promised to make public "all the facts" uncovered the Police Secy. Banister's investigation of the police department "as soon as Mr. Banister feels such revelations will not hamper his investigation.

¶ Said no amount of "smoke screening, apologies, or excuses can alter the fact that Fitzmorris was given information concerning the Banister investigation which he 'did not see fit' to turn over to the rest of the Council.

¶ Said if came as "no surprise" to him that Morrison leaped to Fitzmorris' defense because Fitzmorris does the same for Morrison on the Council.

¶ Noted with interest Morrison's statement that he, the mayor, has received no additional information concerning the Dominguez investigation since a meeting in his office April 13.

¶ Called Morrison's memory "faulty, at best" when he said no new information on the Dominguez matter had been received by the mayor because Banister has made "several discoveries" which he gave to the mayor, Fitzmorris and chief administrative officer Dave McGuire at a meeting in International House.

CASSIBRY'S statement came in the wake of a heated debate yesterday in City Hall, in which Cassibry and Councilman Moore charged Fitzmorris had received information on the police probe conducted by Banister, which he failed to pass along to either the other two members of the police and fire committee or the rest of the Council.

They also charged he received this information at a top-level meeting in International House five or six weeks ago with Morrison, Banister and McGuire.

Fitzmorris admitted he attended the meeting and that the no-
(See CASSIBRY, Pg. 27, Col. 7)

Cassibry

(Cont. from Page 1)

lice investigation was discussed but refused to state specifically what was discussed.

Morrison, McGuire and Banister also declined to comment on what was revealed at the meeting.

* * *

IN HIS STATEMENT today, Cassibry called "ludicrous" Fitzmorris' explanation that he attended the meeting as "plain Councilman Fitzmorris."

"Maybe the mayor would inform us of how Mr. Fitzmorris is going to pull off this piece of magic," Cassibry added.

Cassibry also said he was "greatly interested" in Morrison's statement that "Mr. Banister's report did not reflect on former police Superintendent Joseph L. Scheuering as an administrator."

Referring to allusions by Morrison that Cassibry is stirring up a controversy because Scheuering has a law suit against him, Cassibry said:

"I can only remind the mayor and Mr. Scheuering I was complaining about the administration of the police department by the mayor and Mr. Scheuering long before this suit was filed...."

CASSIBRY SAID he would "insist" upon completion of the present investigation whether they (Morrison and Scheuering) are in favor of it or not.

He said he had never maintained there were no improvements in the police department during Scheuering's superintendency.

He added that the department is made up "mostly of fine, honest and clean police officers who though grossly underpaid are doing their job to the best of their ability."

Last year, Cassibry also promised to reveal the contents of the secret police report of the Special Citizens' Investigating Committee and did so.



JAMES FITZMORRIS



MAYOR MORRISON



FRED CASSIBRY

Probe of Banister News to Dayries

Police Supt. Provosty A. Dayries said today he has neither authorized nor knows about any investigation of Guy Banister.

Banister, police department secretary, is in charge of putting into effect allegations of corruption within the department.

City councilman Fred J. Cassibry yesterday quoted Banister as telling him certain people "in the police department are going all over the country" trying to get something on him.

Dayries said he would know about any police investigation of Banister.

Dayries also said at press conference:

Problem of Jail Terms

1. Enforcement of a city ordinance making jail terms mandatory for persons convicted for the third time for being drunk would "pose a serious organizational problem from the (police) personnel standpoint."

2. Revision of the department's roadblock plan is under way and "dry runs" will be made, with cadet-policemen taking the roles of bandits trying to escape out of the city.

3. Plans are being made for an open house this fall at police headquarters to better acquaint citizens with the inner workings of the department.

4. Police and fire department emergency divisions will take part July 4 in a demonstration in conjunction with the

city department of civil defense.

Discussing the ordinance regarding drunks, Dayries pointed out that in 1954 there were 14,263 arrests for drunkenness and 788 for drunken driving.

He said the police department may find it necessary to fingerprint all persons arrested for violations of all city ordinances.

"This would be in order to establish clear evidence for use by the courts in enforcing the new ordinance," Dayries said.

city department of civil defense.

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J. H. Edwards
3

Committee, Banister to Discuss Probe

Members of the city council's police and fire committee were to meet at 3 p. m. today in executive session with police secretary Guy Banister to discuss progress of the police probe.

It was charged last week by Councilman Fred Cassibry that Fitzmorris was getting information on the police investigation from Banister but was not passing it on to other committee members.

Fitzmorris denied the charge. Councilman A. Brown Moore said he will attend the meeting and ask Banister a few questions. The meeting will be held in Fitzmorris' office in City Hall.

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POLICE CAPTAINS FACE QUESTIONS

Banister to Ask Kohn to Produce Informants

Investigators began Thursday questioning high ranking officers in the police department's probe of possible police irregularities.

Guy Banister, who is directing the police investigation, reported that the questioning of certain captains had begun, but he declined to identify those interviewed.

The list of officers questioned reportedly included captains Alfred "Jock" Maloie, Alfred Réyer, Jeff Albert, Eugene Dakin and Edward Duthu.

Dakin said he had been questioned on certain allegations in the special citizens investigating committee report, all of which he said were unfounded.

Banister admitted that members of his staff had begun interrogating policemen and he added that others would be questioned.

Plans to Call Upon Kohn

The investigators reportedly were calling upon the officers to make statements on their finances, including bank deposits, cash on hand, safety deposit boxes held, loans, mortgages, real estate, business interests and other pertinent financial information.

At the same time, Banister revealed that his office planned to call upon Aaron M. Kohn, managing director of the Metropolitan crime commission, to produce certain confidential informants for interview.

He said he would call upon Kohn to produce these confidential informants sometime in the near future. He added he would call for all informants who gave information which would serve to prove or disprove certain allegations made against members of the department.

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Kohn served a 10-day jail sentence and paid \$100 fine for refusing to identify the confidential informants to the Orleans parish grand jury.

Sees Misuse of Power

Meanwhile, Banister questioned the change in status of certain detectives who were appointed to the rank of lieutenant by former superintendent of police Joseph L. Scheuering just before his retirement.

He termed these appointments a misuse of Scheuering's appointing powers.

Banister's remarks referred to the recent appointments of Charles Mellen, Frank Marullo, William Bazajou and Marco Spicuzza, though he did not call them by name. Mellen served as Scheuering's chauffeur.

"I have not heretofore been made aware of the fact that ability to drive an automobile preeminently fitted a person for an executive or commanding position in any organization, particularly in a law enforcement organization where a commander is heavily burdened with responsibility for the health, safety and well being of citizens and further bears heavy responsibility in providing leadership and guidance to subordinates," Banister said.

Banister referred to what he termed a "small rash of promotions."

Newly appointed superintendent of police Provosty A. Dayries had no comment to make on the ability of the four men to hold the rank of lieutenant but said they would be judged in their new capacities like any other officers.

Dayries said however, "the grades of detective and lieutenant are in a parallel classification under city civil service. The pay range is the same."

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Scheuering Promotions Questioned

Police Secretary Guy Banister today questioned the action of former Supt. of Police Scheuering in making a number of promotions just before retiring.

Banister raised the point of whether there might have been misuse of Scheuering's appointing powers.

Banister particularly questioned the action of Scheuering in appointing his chauffeur,

Former Police Supt. Scheuering said today the four new lieutenants are "all good men. They were not promotions; they were changes in grade. I have no other comment."

Charles Mellon, from detective to lieutenant.

He said it was the first time (See BANISTER, Pg. 27, Col. 3)

Banister

that he had heard that driving an auto fitted a man to be a police commander.

OTHERS WHOSE promotions Banister commented on were the following, raised from detective to lieutenant:

Frank Marullo, William Bazajou and Marco Spicuzza. Banister also questioned the right of Scheuering to raise Lt. Dominic Lalla to command of the police auto theft pound.

BANISTER said: "I have not heretofore been made aware of the fact that ability to drive an auto pre-eminently fitted a person for an executive or a commanding position in any organization, particularly in a law enforcement organization where a commander is heavily burdened with responsibility for

the health, safety, and well being of citizens and further bears heavy responsibility in providing leadership and guidance to subordinates.

"In many instances he is required to lead and direct others in dangerous assignments. He should be the best qualified man available at the time of his promotion.

"I have noticed recently a small rash of promotions.

"I know little about some of the men so promoted. I am familiar with the background of some as reported in reports prepared and made available to the department prior to my arrival in New Orleans.

"If the appointments were not on a merit basis but were a reward to the faithful there has been a misuse of the appointing powers."

HE WAS ASKED if the reports referred to were the files of the Special Citizens' Investigating Committee now in his possession. He declined to comment.

One of the men promoted, Marullo, was placed by Scheuering in command of the auto accident investigating division in the traffic bureau.

The division was formerly headed by Lt. Raymond Ruiz, who has been on loan to Banister in Banister's investigation of the police department.

BANISTER SAID that the city "at considerable expense" had sent Ruiz to attend a traffic institute for nine months at Northwestern University.

He added that Lt. Ruiz was the only man in the police department who had completed this highly specialized course in traffic patrol and investigation.

Asked if Marullo had attended any such specialized traffic courses, Banister said, "He never did."

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 Miss Gandy

Banister Questions Top Police Officers

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Want Kohn Informant For Quizzing

Guy Banister and his staff began interrogating high-ranking police officers today in their probe of alleged departmental corruption, the New Orleans States learned today. The States also learned Banister will ask Aaron Kohn to produce for questioning a key confidential informant among those Kohn has consistently refused to identify.

Several police captains were called to Banister's investigative headquarters for interviews today, it was learned.

They included:
 Capt. Alfred "Joek" Malone.
 Capt. Jeff Alberts.
 Capt. Alfred Reyer.
 Capt. Malone confirmed, when asked, that he had appeared before the police probes. He declined to comment further.

It was said several more captains were scheduled to be questioned.

The witness Kohn will be asked to send to Banister for questioning is described as a veteran policeman who provided a list of names which figured prominently early in the police probe.

Kohn, managing director of the Metropolitan New Orleans crime commission, went to jail for 10 days on a charge of contempt of the Orleans parish grand jury rather than identify any of his secret agents.

Fear Retaliation

Kohn has said his informants wanted to remain anonymous because they feared retaliation. They gave Kohn information about reported police graft and corruption when Kohn was chief

investigator for the special citizens investigating committee.

The police officers called before Banister's staff today were asked to make financial statements listing their cash on hand, in the bank, safety deposit boxes, loans, mortgages, any business interests, real estate owned and other financial information.

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BANISTER

QUIZES

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OFFICERS

Will Ask Kohn For Informant

Several top-ranking New Orleans policemen were questioned today by Guy Banister and his assistants in the current internal police probe.

Among those questioned was Capt. Alfred "Jock" Malone of the Third District and Capt. Alfred Reyer. Four other captains were also scheduled to be questioned.

Capt. Malone confirmed the fact that he had been questioned but declined further comment.

Banister, police department secretary heading the probe, said he will ask crime investigator Aaron Kohn to produce a key informant who reportedly produced a list of names which figured early in the police probe by the Special Citizens Investigating Committee.

The informant reportedly is (See QUESTION, Pg. 27, Col. 2)

Question

(Cont. from Page 1)

one of those Kohn has refused to identify.

* * *
KOHNS WAS SENTENCED to 10 days in Parish Prison for his refusal to identify an informant for the Orleans Parish Grand Jury.

Kohn, executive director of the Metropolitan Crime Commission, said he had not yet been requested by Banister to produce the informant.

"I can't say what my action will be regarding an informant until I find out just who they want and for what purpose," Kohn said.

Officers called before Banister's investigative force today were asked to make financial statements listing cash on hand, in the bank, safe deposit boxes, mortgages, loans, business interests, real estate owned, and certain other financial information.

POLICE OFFICIAL EXPLAINS SPEECH

Banister Clarifies Comments on Graft

Police department secretary Guy Banister said Sunday the only system of graft he has yet uncovered in the police force is the system wherein policemen believed themselves obliged to accept graft money.

He said the "system" he referred to in a talk Friday to the Protestant Laymen of New Orleans was not one of specific pay-off methods but rather a system by which officers became victimized unwillingly.

He made his remarks Sunday when asked to clarify a report in which he was reported to have said the New Orleans press has frequently misquoted him or magnified his remarks.

He emphasized that when he used the word "system" in his Friday talk that he was using it in its most generalized, broadest sense and did not intend to give the impression his departmental probe had bared any specific system.

A report of the talk in The Times-Picayune Saturday quoted Banister as saying, "A system came about . . . a system of accepting graft." He was further quoted as saying his probe had "confirmed the system of graft" and as referring to the "victims of the system."

"In each instance, Banister said, he was referring to the system by which some officers were victimized."

After the Friday talk Banister said the victims of the system were those who "had to accept or would find themselves patrolling cemeteries at the end of Canal st." or suffer other "harassment."

Asked to clarify a remark attributed to him in the same Saturday report concerning the district attorney granting immunity to witnesses who testify in public bribery cases, Banister acknowledged mentioning the subject in his talk but denied he said the district attorney "must" grant such immunity.

"It was his understanding of the law, he said, that the district attorney "can" grant immunity in those cases and not that the district attorney "must" grant it.

In clarifying his remarks, Banister repeated his stand that "I do not know there is a system of graft." His investigation is being conducted, he said, to determine whether graft exists, or ever existed, in the police force.

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GLENN CLASEN



GUY BANISTER

MEANWHILE, Asst. Supt. Dayries reportedly has told Banister that he does not want to be superintendent and would be happy to continue his present position if Banister is named top man.

Banister and Dayries have been on excellent terms, sharing, among things, the role of "outsiders" brought in by the mayor to "clean-up" the police department.

Meeting Called Monday

City Councilman Clasen is expected to urge at a meeting of a council committee Monday that Police Supt. Scheuering be asked to retire, informed City Hall sources said today.

Clasen reportedly already has asked for the resignation of Scheuering in a letter to the superintendent.

Both Clasen and Scheuering refused to comment on the matter today.

HOWEVER, it is understood that Scheuering, though eligible, has indicated to close friends that he has no intention of retiring at the present time.

But Clasen himself announced yesterday that he plans, at a meeting of City Council's police and fire committee Monday, to make "most important" recommendations about the police department.

He declined, after a closed-door session, with Mayor Morrison and Scheuering, to say what the recommendations might be.

However, informed sources said today that the subject of yesterday's secret meeting was a proposal that Scheuering retire.

Banister Is Seen As Chief

Reports are circulating today that Police Supt. Scheuering will be asked to retire.

Although Scheuering has indicated to close associates that he will not quit voluntarily, informed sources are predicting that New Orleans will soon have a new police superintendent.

Who will it be?

PROBABLY, insiders say, one of two men—Asst. Supt. Froyosty Dayries or Police Secretary Guy Banister.

Of these two, Banister, according to informed sources, seems to have the inside track.

Here is why:

When Mayor Morrison first approached Banister, then agent in charge of the Chicago FBI office, about taking the job of police secretary, Morrison is reported to have told Banister about the political headache the Police Dept. was giving him.

Also, according to the reports, he told Banister he "wanted him in reserve" for the day that Scheuering was no longer police superintendent.

Banister is said to have accepted the position under those conditions.

Mr. Tolson	✓
Mr. Boardman	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. DeLoach	✓
Mr. Evans	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tamm	✓
Mr. Sizoo	✓
Mr. Winterrowd	✓
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Mr. Holloman	✓
Miss Gandy	✓

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~~BUT~~ CLASEN would make only a brief statement after emerging from yesterday's meeting. It was this:

"I have had a good discussion with Mayor Morrison and Joe Scheuering about the New Orleans Police Dept. and have discussed with them some recommendations that I plan to make to the police and fire committee of the council," Clasen said.

"At this time I do not feel that the opportunity warrants a public disclosure. I will be prepared, however, to make these recommendations on Monday to the police and fire committee."

* * *
REPORTS AT City Hall yesterday hinted that Clasen would "drop an A-bomb" at the council meeting. The anticipated explosion (See CLASEN, Pg. 24, Col. 4)

Clasen

(Cont. from Page 1)

pllosion did not materialize, however.

Near the opening of the council meeting Clasen left the chamber to confer about half an hour with the mayor. With Councilmen Moore and Cassibry already absent, Clasen's departure broke the quorum necessary to hold a council meeting and Council President Schiro called a recess.

On Clasen's return Schiro told him his departure had been an "insult" to the council. Clasen apologized.

Clasen later said the conference with Morrison had nothing to do with his later meeting and the recommendations.

* * *
IN THE PAST, Clasen has supported Scheuering.

Scheuering, now 47, has been eligible to retire since October, 1953, when he completed 20 years service on the police force.

He began his career in 1932 at the old 12th precinct station at S. Robertson and St. Andrew.

He worked in the traffic office, as a clerk at headquarters and served 10 years in the bureau of identification where he rose from desk sergeant to captain.

In 1946 he was made a detective, and the following year was made chief of detectives, the rank he held until he was named superintendent in 1949.

* * *
SCHEUERING'S career as superintendent has been a stormy one.

It has included a malfeasance indictment against him on which he was acquitted and an investigation into his administration of the police department by the old Commission Council.

FOUR MUST HELP, BANISTER HOLDS

Officers Expected to Follow Orders for Probe

Four police officers he requested to help probe the New Orleans police department will be required to report for the job, Guy Banister, third ranking member of the department, said Wednesday night.

Banister made the statement in a talk at a meeting of Edward Douglass White Council No. 3246, Knights of Columbus, at Frank's Steak House.

Police officers are like soldiers in the respect that they are expected to follow orders, Banister told the council members after noting that two of the policemen had been quoted as not wanting the assignment.

"Believe me," Banister said, "I don't enjoy this job."

He said the problem with the two officers was one of discipline.

"Once they spoke," he said, "they had to go, as far as I'm concerned, I'm generally easy to get along with, but when it comes to discipline I can get as rough as a cob."

Interviewing Scheduled
Earlier in the day, Banister said the job of interviewing police officers in connection with his investigation would begin as soon as he completes "some administrative work."

Banister said Wednesday that he had acquired so much information that the time has come "to investigatively digest it, and produce witnesses who are willing to testify."

A dirty police department, he said, has to be cleaned from the top and from the inside. Grand juries can't do the complete job, he said, because they can't go out and ring doorbells.

In addition to his aim of tossing "kittin' apples out of the barrel from the inside," Banister outlined a training program which would prevent any other bad ones getting in the barrel.

"We already have tightened up at the bottom — much to the chagrin of some of the young fellows who said 'What's all this stuff?' We thought all we had to do was sign a paper and we were in the police department," Banister said.

'Now You Want Change'
The ex-FBI man in his talk blamed New Orleans history for part of the present woes of the police department. He said that historically the city has been a gambling center of the nation.

"Now you want a change," he said. "It's a revolt of the younger generation who realize gambling and what it brings is bad for the community. . . . And it has resulted in tremendous pressure on your police department and on your city government."

Many charges have been made against many officers, Banister said, and the suggestion has been made that we shouldn't care who gets hurt, we should get rid of all of them. But the majority of the men and women on the force are doing a good job, he said.

"We have an end to bring order out of the chaos that exists today," he said. "But we aren't going to adopt any illegal or immoral ways to do it. We don't want heads to roll simply because some people are getting impatient."

Will 'Run Out Some Leads'
Banister said earlier Wednesday that with the aid of four police officers assigned to him he will "run out some leads" in his

Continued on Page 27, Column 1

BANISTER TALKS

Continued from Page 1

possession before questioning policemen.

Banister is in possession of names of policemen and former policemen which appeared on lists found at the residence of Lionel Andrew Dominguez, 1655 N. Roman, in a raid on an alleged lottery operation there.

Banister said he wanted to be armed with as much information and fact as possible before calling in witnesses in his probe. He emphasized Wednesday as he had done several days ago, that not all officers who may be called will be subject to investigation.

The four men, two of whom reportedly did not want the assignments, who will report to Banister at 8:30 a. m. Thursday, are Lt. Raymond Ruiz, Desk Sgt. Robert Wheelchel, Patn. Lawrence Vigurie and Patn. George Vogt. The last two reportedly said, unofficially, they disliked the probe assignment.

Dr. Grey Says Mayor Agrees
In other police probe developments Wednesday, Dr. J. D. Grey, pastor of the First Baptist church, said that Mayor deLesseps S. Morrison had agreed to a meeting to discuss the scope of Banister's investigation, and city Councilman James E. Fitzmorris Jr., issued a statement in which he said that having the Metropolitan Crime Commission work under Banister "would not prove satisfactory."

Dr. Grey, leader of a movement calling for an independent investigation, said he had received a reply from Morrison to a request for a meeting, at the mayor's convenience, to discuss Banister's freedom and authority in the police official's investigation.

While the mayor acceded to the request, Dr. Grey said, the mayor's letter did not set a date or designate a place for the meeting.

Dr. Grey said it will be necessary to communicate with Morrison again to arrange the meeting, the minister added, "and our group is ready to meet with him whenever he says."

In the original request by Dr. Grey, it was suggested that Banister be present at the meeting, as well as representatives of the crime commission, and members of the city council's police and fire committee.

'Banister Given Free Hand'
Fitzmorris, chairman of the police-fire committee, apparently referred, in his statement, to a suggestion by Councilman Victor H. Schiro that the crime commission delegate representatives to work under Banister.

- Mr. Tolson
- Mr. Boardman
- Mr. Nichols
- Mr. Belmont
- Mr. Harbo
- Mr. Mohr
- Mr. Parsons
- Mr. Rosen
- Mr. Tamm
- Mr. Sizoo
- Mr. Winterrowd
- Tele. Room
- Mr. Holloman
- Miss Gandy

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New Orleans P.D.

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THE TIMES-PICAYUNE
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Morgan Whitney, president of the commission, and Aaron M. Kohn, managing director of the commission, have stated that the commission has worked with Banister and will continue to do so. But they did not feel it proper to work under him.

Fitzmorris said, "The crime commission is an independent body designed to lend its full support and co-operation not only to crime prevention but additionally to act as a public support body for law enforcement."

"Mr. Banister has, positively, been given a free hand, no strings attached, to conduct this investigation. Additionally, he has the full support and co-operation of each member of the city council, and it seems to me that our logical procedure, at this point, would be to let Mr. Banister do his job."

'Should Be Given Banister'

"The crime commission can, and I'm sure will, be of great assistance in supplying information that its body may assemble. Such information should be given to Mr. Banister, and it will be his duty and responsibility to develop fully and completely all leads furnished him by the crime commission and other interested parties."

Fitzmorris said he is not agreeable to appropriating funds for an additional investigation "by any outside group," but favored giving to the police bureau of investigation "the funds it needs to adequately and efficiently carry out its assignment."

One hundred names of policemen and former policemen allegedly were on two lists, found at the N. Roman address during a city-state police raid there on

Feb. 21. Since then, on a "routine check" at that address by Col. Provosty A. Dayries, assistant superintendent of police, three more lists were found. It was not disclosed the number of names on those lists.

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Mr. Holloman	_____
Miss Gandy	_____

Fate Up To Banister?

How About SCIC Report?

While Aaron Kohn remains in jail for refusing to tell who gave him certain confidential information—

What about the information itself?

What has happened to the Special Citizens' Investigating Committee's report on the Police Dept.?

After an injunction suit prevented Kohn and the SCIC from finishing their official police investigation, this report was prepared and turned over to the city.

It was a 1900-page summary of the information the SCIC had collected on the police and their relation to crime and vice conditions in the city.

This report did not contain proved and ready-to-try criminal cases. The committee's work was stopped long before it was complete. But the report did contain evidence and leads indicating serious conditions.

In short, the SCIC—prevented from finishing the job itself—presented all its information to the city and parish authorities as a basis for further investigation.

But this was nearly a year ago, and the report today seems to be lost in a sort of official "no man's land."

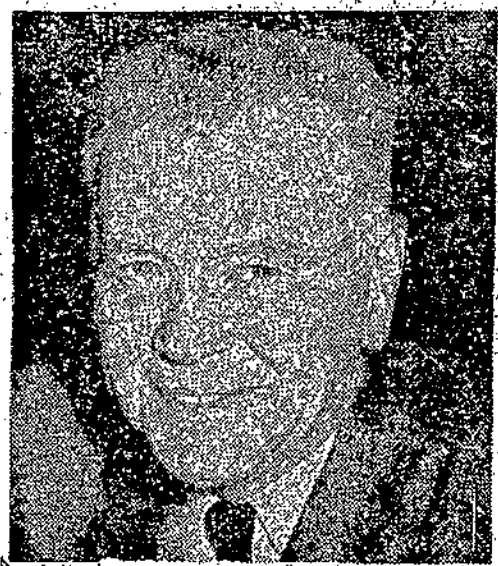
Everybody agrees its leads should be followed through. But by whom?

Not by the regular police, obviously. Asking the Police Dept. to investigate itself is like hiring a cat to baby-sit for a canary.

The City Council? No. It voted not to take the responsibility.

Some months ago it was suggested that the District Attorney might be the proper authority for continuing the investigation.

But Mr. Hubert said at that time he didn't have enough investigators on his staff to take on the job.



GUY BANISTER

And later, when given the opportunity to ask for more investigators, Mr. Hubert said he did not want to do so because he did not want to "duplicate" the work of Guy Banister, the new "third man" in the Police Dept. command.

Thus Mr. Hubert has checked the matter squarely up to Mr. Banister.

Though Banister so far has not acknowledged the direct responsibility for pursuing the SCIC's leads he appears to have it by sheer default.

Banister, who heads the Police Dept.'s own new self-styled "little FBI"—a three-man unit which is supposed to check on the conduct and efficiency of police per-

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GEORGE CHAPLIN, EDITOR
 NEW ORLEANS ITEM

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Col. 1 & 2 **MAY 4 1955**

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senior — says he doesn't want to talk about the SCIC report "at this time," but that he wants information from "whatever source" he can get it.

This is a roundabout approach, but he has not avoided the responsibility. In his own job of investigating police conditions, Banister can hardly overlook what the SCIC has already found.

The question is how much actual following up of the report he can do.

He is handicapped by his small staff and the fact that he must work within the Police Dept. itself.

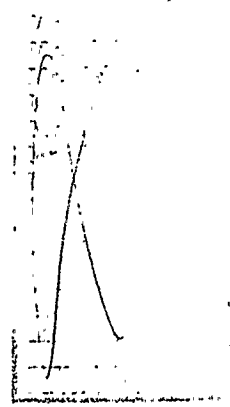
He can get additional help by requesting it from the department, but it won't be easy to find experienced policemen who are willing to help expose conditions which will reflect on their fellow officers and perhaps even on their superiors.

And, though he has been given an official "free hand" to investigate whatever he pleases, he nevertheless must report to Supt. Scheuering, the man the SCIC report said should be fired.

Banister, however, is highly qualified through long years of experience with the FBI. He enjoys the confidence of Kohn himself, who has complimented him highly on his work in the past and since his arrival here.

Perhaps his character, determination and experience will prove enough to overcome the obstacles he faces.

At any rate, it looks as if any real results are ever to come from the SCIC report, it will be Banister who gets them.



Mr. Tolson	_____
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Mr. Nichols	_____
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Mr. Holloman	_____
Miss Gandy	_____

FIGHT ON CRIME TO GO ON!

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Police Dept. New Orleans LA

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KOHN

Praises Banister, La. Chief

Aaron Kohn said today in Parish Prison he will not stop his fight for a better Police Department and administration of justice "until men like Guy Banister and Francis Grevenberg control the policies and administration of our New Orleans Police Dept."

Kohn, now serving the first full day in his 10-day contempt sentence, spoke to reporters late today after a temporary "news blackout" by Criminal Sheriff Louis Heyd.

"When that day comes," he said, "there will no longer be any basis for fear of recrimination by certain top police officials against citizens who wish to give information."

"THEN PEOPLE who now give information confidentially will give it freely," he said.

Kohn also said the Metropolitan Crime Commission, for which he is executive director, will seek laws to protect confidential informants.

"The Metropolitan Crime Commission has agreed," he said, "that an organized effort be undertaken to introduce state laws which will establish the right of public officials to protect confidential informers."

He said such a law would be chiefly to protect "public spirited citizens against acts of recrimination."

Kohn said he understands the cell he now occupies "was pre- (See SHERIFF, Pg. 15, Col. 6).



CRIME INVESTIGATOR AARON KOHN, accompanied by attorneys and supporters, is shown on the steps of the Criminal Courts Bldg. just before entering Parish Prison.

Sheriff

(Cont. from Page 1)

viously occupied by 'Sloppy Jim' Esposito and Lionel Dominguez." "BOTH OF THEM," he said, "had been investigated by me and occupy space in the Special citizens against acts of recrimination."

When asked who had told him these men previously occupied the cell, the crime investigator laughed and said:

"I can't say. I'm still protecting my confidential informants."

Kohn was visited by his attorney James I. McCain, and former SCIC member Philip Gensler earlier today.

AFTER VISITING with Kohn, McCain said:

¶ A deputy sheriff has warned Kohn that he'll only get \$2 a day spending money while he is in jail "because we don't want the prisoners to lose too much money gambling while they are here."

¶ Kohn has been separated from the "run of the mill" prisoners at McCain's request and over Kohn's protest.

¶ Kohn has been given a third floor hospital room by himself and is being fed separately this morning with some prison employes.

¶ He is spending some of his time reading a book by "a German industrialist named Thyssen" which tells "of the dictatorial qualities of Hitler before his downfall."

¶ Kohn is also handling work of the Metropolitan Crime Commission and was permitted to read a commission letter brought him and to answer the letter, although the answer was read first by a deputy.

¶ The crime prober is in "good spirits" and doesn't seem to mind the "hard mattress and hard pillow" in his prison room.

Mr. Tolson	_____
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Mr. Rosen	_____
Mr. Casper	_____
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Mr. Evans	_____
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Mr. Holloman	_____
Miss Gandy	_____

Banister Raps Light Fines Against Rioters

Guy Banister, third ranking member of the New Orleans police department today said the department was disappointed by the light punishment given in municipal court to the French Quarter rioters who assaulted policemen.

Banister said the court did not impose a swift and forceful sentence to control the persons who incited the riot and encouraged the assault on the officers.

"It has been said that the law lies in the end of a policeman's nightstick," Banister said. "It is that method that creates fear. But the New Orleans police department does not want its men to resort to that type of subduing prisoners. We expect to get adequate punishment in the courts for those who attack policemen."

Addresses Cadets

Banister criticized the court for letting the rioters off with small fines in a talk today before his first class of cadets in training under his direction for police work.

He reviewed some of the sentences meted out in the riot case and said out-of-towners have the idea that "police meat in New Orleans is cheap."

"One of the men bit a police officer and his fine was \$10—so that means it cost only \$10 to take a bite of a policeman," Banister said.

Banister urged the rookie officers to use only sufficient force to make protesting violators submit to arrest.

Urges Self-Control

He told them the department expects them to defend themselves, but to be sure, to control themselves in subduing prisoners, reminding the new officers that the civil liberty statute protects citizens against police brutality.

"You will be taught defensive tactics," he said, "and you must teach yourself self-control."

G.I.R. 3

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

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Bureau
PHYS. FILE

Ineffective Hearings

Any sober review of the duties of the city council should convince its members that the council's handling of the Scheuering hearings has been a mistake.

In the first place, the nature of the hearings has not served to remove the doubts and confusion concerning the matter at issue; Superintendent Scheuering's competency. And in the second place, the conduct of the hearings does not appear to conform to the intentions of the city charter, nor are they in keeping with the council's function of a legislative body with investigative powers.

As the city's legislative branch, the council has the authority as well as the duty to inquire in an orderly manner in such ways as it sees fit into matters upon which it might legislate. It is not obliged to observe any special formalities in asking for and receiving the information it needs from the city administrative office on revenues, methods of management and other routine matters.

At the same time it has not, as the legislative branch, any right to investigate or interfere with the administration of the city government except as provided by the charter. It should respect the separation of powers just as the mayor is expected to observe it.

The council has the right to investigate any office, department or board of the administration. But the investigation should be a serious, formal matter as the charter (Sec. 3-124) indicates it should. Done that way, the council complies with its duty and cannot be accused of meddling with the operations of the city departments.

GEORGE W. HEALY, JR., EDITOR
THE TIMES-PICAYUNE
NEW ORLEANS, LA.

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But where the council opens up hearings to statements, discussion and sometimes recrimination, none of it under oath and none subject to cross-examination, the procedure is not in keeping with the dignity and seriousness of a legislative body investigation.

At the hearing this week, the Metropolitan Crime Commission said it was reluctant to present some of its material unless the council proceeded under the charter to take the testimony under oath. Two of the councilmen likewise urged that the council resolve itself formally into an investigative agency and proceed under the charter. The majority demurred. The outcome probably will be nothing conclusive to show for the hearings. That should serve to remind the majority that when they investigate a part of the administrative branch they should do it right or call the whole thing off after preliminary meetings disclose that the majority does not favor a thorough inquiry under formal proceedings.

Mr. Tolson	_____
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Mr. Nichols	_____
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Mr. Holloman	_____
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Banister Announces Training

Police Supt. Scheuering has announced that the police training period has been extended from 30 days to eight weeks.

The announcement was made today in a series of administrative changes recommended by newly-appointed Police Dept. secretary, Guy Banister.

Scheuering said the changes would take effect immediately.

BANISTER has also announced that recruits—now to be known as cadets—will also receive instruction in criminal law and criminal law procedure “comparable to the time spent on these particular subjects in the average law school.”

Other changes recommended by Banister and adopted by Scheuering:

¶ The training center will now be known as the New Orleans Police Academy.

¶ The director of the school, Lt. Ray H. Muller, will have the title of director of police education.

¶ Recruits are to be known as cadets.

¶ No cadet during his training period will be assigned to other police work, except under specified orders of Police Supt. Scheuering, or in the event of extreme emergency.

¶ Cadets are to wear an identifying arm-band on their civilian clothing while in training.

¶ Two instructors—as yet unnamed—are to be added to the staff of the academy.

¶ THE STAFF of the academy will issue a bulletin every three months, which will include informative articles on police work.

¶ This bulletin will carry decisions rendered by the courts which are of interest to police officers.

¶ Academy staff members will investigate applicants for the academy. (This was previously done by the Police Bureau of Investigation).

- Mr. Tolson
- Mr. Boardman
- Mr. Nichols
- Mr. Belmont
- Mr. Harbo
- Mr. Mohr
- Mr. Parsons
- Mr. Rosen
- Mr. Tamm
- Mr. Sizoo
- Mr. Winterrowd
- Tele. Room
- Mr. Holloman
- Miss Gandy

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PERS. FILES

Changes In Training Needed--Banister

BY AL SMITH

Guy Banister, ex-FBI man who completed his first week Saturday as "No. 3" in the chain of command in the New Orleans Police Dept., said he would recommend certain changes in training methods.

Banister has been given charge of the Police Training School and will also head all investigations within and outside of the department.

He said in an interview Saturday that one recommendation he will make to Supt. Scheuering is a lengthening of the training period.

HE SAID he would also sug-

gest that more schooling in "law" should be given to policemen.

"How can you enforce the law," he asked, "if you don't know what it is?"

He said that the first order he gave in the new job involved the training school.

"I've issued instructions that no more pictures be taken of graduating classes.

"I don't intend to have our new officers photographed as pinups for the New Orleans dives."

Banister, then discussing his assignment as chief of a new three-man investigating unit, said he planned to have all three members of that group—who are attorneys and accountants—go through the police basic training course.

"I have been assigned to head up internal investigations in the department, and I want those men to be real inspectors."

"CONSEQUENTLY, I may shift them around to various assignments to gain experience, so they will know every type of job in the department."

Banister said his FBI specialty in recent years was the tracking down of subversives, Communists and labor racketeers.

"I don't intend to turn my back on these fields in New Orleans," he said.

He recalled that he personally directed the arrest of Claude McKnightfoot, who went on trial in Chicago this week as the first man charged with committing a crime by being a member of the Communist Party.

"It's the pilot case in strengthening this country's treason laws," he said.

He added that he had information about Communist activities in New Orleans and had heard reports of an influx here of labor racketeers.

"The rackets have been coming down to New Orleans."

BANISTER, who has a 5000-book library on investigative and espionage methods, gave a reporter a copy of a new book he had received Saturday.

It was entitled "The Secret War for the A-Bomb," written by an ex-FBI agent, Medford Evans.

It deals with A-bomb security program.

Banister already has received a number of invitations to address New Orleans groups.

"I am keenly interested in the education of the public on law enforcement matters," he said.

In personal affairs, he still has to find a house for his family, which is his wife and 16-year-old daughter, Mary Jane, who will arrive this week from Chicago.

He was FBI chief there until retiring in November.

Mr. Tolson	_____
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Mr. Tolson	✓
Mr. Boardman	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Harbo	✓
Mr. Mohr	✓
Mr. Egan	✓
Mr. Tamm	✓
Mr. Sizoo	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

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Banister Bans Cop Grad Photos

Guy Banister, supervisor of police training, today announced no more pictures will be taken of graduating classes from the police training school.

"Some of these men (new graduates) may be needed for undercover work, and I don't feel it's a wise policy to publish their pictures," said the third ranking man in the police department.

Banister was sworn in as training supervisor last week.

He also said he hopes to extend the training period of rookie officers to 60 days. The present training period is five weeks.

He said the three men assigned to handle interdepartmental problems will be given the routine course of training.

Two will begin the course Feb. 28, he said, and the third will take it later. Two of the investigators are lawyers, the other an accountant.

Banister said it was a misnomer and that he disapproved of the designation "little FBI" being applied to the investigative body.

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 Mr. Holloman ✓
 Miss Gandy ✓
George

file



GUY BANISTER, WHO TOOK OVER SATURDAY AS THIRD RANKING

MEMBER OF THE POLICE DEPT.

Former FBI Man Sworn As Orleans Police Official

A handsome, scholarly ex-FBI agent, who fought in one of the most famous gun battles in the agency's history, told here Saturday of his plans for training New Orleans police "for combat with the criminal army."

He is Guy Banister, 53, a native of Monroe, La., and holder of an action-studded 20-year record with the Federal Bureau of Investigation.

He was sworn in Saturday at the office of Police Supt. Scheuringer as the No. 3 ranking officer in the New Orleans department.

BANISTER will serve as supervisor of training, and will direct all investigations, both within and without the department. He will take command of the

three-man bureau of investigation whose members check internal activities of the department.

Banister, who retired on pension from the FBI recently while chief agent at Chicago, was interviewed here in Mayor Morrison's suite at City Hall.

BANISTER said in the interview that he had "only a general knowledge" of criticism of the

New Orleans Police Dept. made in the reports of the Citizens' Special Investigating Committee.

He was asked if he would continue as a member of the police force if he should decide at some future time that the committee's statements were well founded.

Banister replied with a legend from Scotch history, about Robert Bruce and the spider. (See BANISTER, Pg. 4, Col. 7)

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Mr. Mohr.....
Mr. Parsons.....
Mr. Rosen.....
Mr. Tamm.....
Mr. Sizoo.....
Mr. Winterrowd.....
Tele. Room.....
Mr. Holloman.....
Miss Gandy.....

Banister

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which indicated he would stay in the department.

"YOU KNOW THE STORY of Bruce and the spider," he said. "He saw him try to spin his web and fall six times; on the seventh try the spider succeeded."

Bruce, a Scottish rebel chief, following this example, left his hideout cave and tried his seventh rebellion, and succeeded.

Banister was asked if this legend of "try, try again" indicated he would continue to work within the department. He said that it did.

Banister was asked if he planned to join the Society of Former Agents of the FBI. Dudley Foley, who was chairman of the committee which criticized the police force, is a representative of the society on the committee.

BANISTER REPLIED that his application was in for membership in the society.

He was asked if he had heard of the work of Aar. Kohn, also a former FBI agent of the Chicago office. Kohn was the committee's chief investigator in the police probe.

Banister said he had heard of Kohn's work, but did not know him personally. He was shown a statement made by Kohn on Jan. 5 which praised Banister's FBI record, and said it would enable Banister to "bring to New Orleans police work practices and policies of the highest order."

THE KOHN statement continued.

"However, since it is reported that Mr. Banister has been offered a position which is third in line of authority, it does not appear that should Mr. Banister accept the offer, that he will be enabled to effect all of the improvements necessary to the solution of our police problems."

Banister, commenting on Kohn's statement, said:

"Mr. Kohn is just guessing. Let's wait and see how much authority I will have."

BANISTER was asked if his reply perhaps indicated he had been brought here to be groomed for some police job higher than the Number 3 spot.

He replied that this was not part of the basis on which he had discussed the job or accepted it.

Banister said he wanted to make it clear that he had no first-hand knowledge yet about the New Orleans force.

"Right here today," he said, "I don't know whether the police department is good or no good."

He said he conceived his own job to be primarily one of training policemen. His training methods are strict, he said, in line with recognized procedure.

HE SAID he placed high value on "discipline."

"Policemen must be disciplined," he said. "In this country there is an underground criminal army numbering some 10 million criminals. Against them, to guard society, there are only some 300,000 peace officers."

"My job here, as I understand it, is to help forge the law enforcement ranks into an efficient weapon."

BANISTER, in the FBI devised training methods that are used at the Universities of Idaho, South Dakota, and Minnesota.

He joined the FBI at New Orleans Nov. 5, 1934, while on the Monroe police force. Soon he was in the thick of FBI gunplay—being a crack marksman from boyhood on.

He took part in the Roger Touhy raid and gunbattle in Chicago, in which two agents were killed. He also helped round up remnants of the Dillinger mob.

HIS MOST FAMOUS battle, however, was against a youthful mountain hunter near Boise, Idaho—himself a fabulous marksman. The man killed two U. S. marshals—then "put nine bullet holes through the dead marshal's ear" at a great distance.

Banister, in town on other matters, rated with another agent to a hardware store for a rifle, then with four others fought it out with the mad marksman. The killer, who himself had eight rifles, was slain.

Banister is well-tailored, gray and strikingly handsome. He has a 5000-book library and studies police and espionage

methods of historic figures like George Washington and ancient Chinese warriors, and even the Greek war classic, the Iliad.

- Mr. Tolson _____
- Mr. Boardman _____
- Mr. Nichols _____
- Mr. Belmont _____
- Mr. Harbo _____
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- Mr. Rosen _____
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- Mr. Sizoo _____
- Mr. Winterrowd _____
- Tele. Room _____
- Mr. Holloman _____
- Mr. Gandy _____

Banister Takes Over Duties as Police Training Director

hopes to Set Up Efficient Program, He Asserts

By WALTER GOODSTEIN

Guy Banister, former FBI agent in charge of the Chicago bureau, worn in Saturday as third-in-command in the New Orleans police department, said in an interview: "Right now I don't know if the police department is good or bad; honest or not honest. "I hope to set up an efficient training program—to forge an enforcement weapon which the superintendent and his assistants can use effectively against the criminal element."

A native of Louisiana, the recently retired Banister said he was induced by family and friends here (and the new \$9000-a-year job) "to come down from the cold country."

He apparently hadn't thawed out yet. At least, he said he was "cold" about what his duties would be, if any, in addition to planning and supervising police training.

Neither was he receptive to an interview, prior to swearing in ceremonies Saturday morning, until he had talked with Mayor, de-esseps S. Morrison and acting police Supt. Joseph L. Scheuering by telephone.

Once agreed to talking with reporters, the 53-year-old Banister was a congenial sort, who told of his experiences reluctantly, if not with a degree of modesty, and was found to be a student of criminology.

"I have a library of about 5000 volumes," he said. "It is not what you'd call a balanced library. Mostly the subjects are on law enforcement, current affairs, and intelligence work."

"There has never been a great one who did not have a good espionage system," he said, adding that Washington was one of these.

Morrison announced that Banister will have supervision over all investigations by the police department and the police bureau of investigation, will be in charge of

Continued on Page 16, Column 4

BANISTER

Continued from Page 1

training and the operation of the police school, and will maintain liaison with federal law enforcement agencies.

Banister was born in Columbia, Caldwell parish, is a graduate of Ouachita High school and attended Louisiana State university.

Before joining the FBI, he served for six years with the Monroe police department, first as patrolman, in 1929, next as secretary to the police superintendent there.

He joined the federal bureau of investigation in 1934 after reading an item in an Arkansas newspaper advertising for a young police officer wanted by the bureau.

Assignments as an agent took him to Washington, D. C., Indianapolis, Newark, N. J.; Tacoma, Wash.; New York city; Butte, Mont.; Oklahoma City, Minneapolis and Chicago.

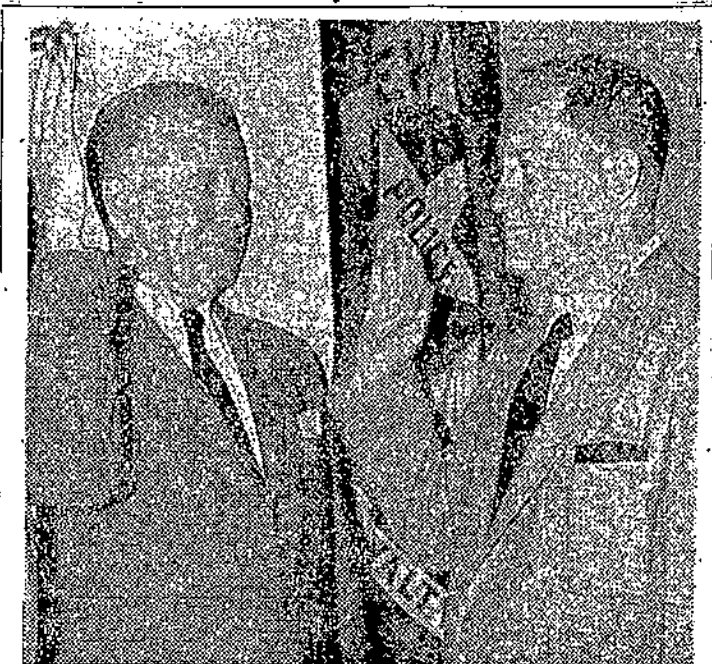
He recalled his first case, in Indianapolis, as "cleaning up the remnants of the John Dillinger gang."

In New York city he was assigned, he said, to "all the bank robbery cases."

As an agent, he said, he had "been in several gunfights," including the widely publicized Roger Touhy raid in Chicago in 1942, and, two years later, in the killing of a suspect who had murdered two peace officers in Boise, Idaho.

"Discipline, gentlemen," he told reporters, "is a matter of policy over which I will have no control in the department, except as it pertains to the training school. There it will be strict."

He said a policeman is "a disciplined man." One purpose of the training program will be "to accustom him (the policeman) to the harness of duty."



—Photo by The Times-Picayune.
GUY BANISTER, JOSEPH L. SCHEUERING
—Former FBI agent becomes No. 3 of NOPD.

Bureau

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26 MAR 18 1955

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EW ORL EANS, LA.
THE TIMES-PICAYUNE
3/16/55
page 1, Col. 5

TOP CLIPPING
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71 MAR 23 1955
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Banister was sworn in by Scheuering at the superintendent's office in brief ceremonies attended by Mayor Morrison, assistant superintendent Provosty A. Dayries (second in command of the department), city Councilman James E. Fitzmorris, Jr., head of the council's police and fire committee; Fred Dykhuizen, member of the police advisory board and several ranking officers in the department.

Also present were Mr. and Mrs. D. Ross Banister, Banister's brother and sister-in-law, of Baton Rouge. Banister's wife and daughter, Mary Jane, are still in Chicago.

After taking the path of office, with the official title of "secretary of the police department," Banister joined Morrison, Fitzmorris and the top members of the department in a closed meeting.

In the interview before the swearing in ceremony, Banister said, "I'm home now," and indicated he was glad to be back in Louisiana. In Chicago, as special FBI agent in charge, he supervised the work of about 500 agents and employes.

In vesting control of the training school in Banister, Maj. Albert Blancher was relieved of that assignment. Blancher now becomes night supervisor of police, a post which was vacant since the retirement last year of Maj. Henry Clark.

The high level shuffle in the table of organization resulted in the reassignment of Andrew Guirovich, Scheuering's secretary, to the district attorney's office.

Banister's appointment came on the heels of a critical report by a council-appointed special citizens' investigating committee which probed the police department.

Several grand juries conducted inquiries into alleged collusion between some policemen and the criminal element in the rackets.

Dayries was appointed a year ago in a move to improve the administration of the department.

Another step taken by Morrison, who is head of the police department, was appointment of a three-man police bureau of investigation headed by Edward K. Pinner, an attorney.

Scheuering was placed on acting status as police superintendent last May after the SCIC severely criticized his administration.

Last week, when Banister's appointment was announced, Aaron M. Kohn, who was chief investigator for the SCIC, commended the choice made by Morrison.

But Kohn questioned Banister's ability to put his talents to most effective use in the training school post assigned to him.

When this was called to Banister's attention in the interview Saturday, Banister said:

"Kohn doesn't know any

more than I do about what authority I'll have. The future will develop that."

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Mr. Tolson	_____
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BANISTER TO BE SWORN IN TODAY

Blancher to Be Police Night Supervisor

A key post in the police department will change hands Saturday and another long vacated will be filled, acting police Superintendent Joseph L. Scheuering announced.

Scheuering said that Guy Banister, former federal bureau of investigation agent, will be sworn in at 10 a. m. Saturday as training supervisor in brief ceremonies in Scheuering's office.

Meanwhile Maj. Albert Blancher, present training supervisor, Saturday will assume the post of supervisor of police in charge of night operations.

The position of night supervisor of police has been vacant since Maj. Henry Clark was dismissed from the department May 21, 1953, following an indictment against Clark for perjury.

Banister, former agent in charge of the FBI's Chicago office, was recently appointed to the No. 3 post in the police department by Mayor deLesseps S. Morrison. Banister was due here Friday night but had not arrived shortly before midnight.

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THE TIMES-PICAYUNE
NEW ORLEANS, LA.
3/15/55
page 3 Col. 2

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71 MAR 25 1955

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See Vice Fight Stepup in N. O.

By ROBERT WEBB

An ex-FBI agent installed in the police command today is expected to play a major role in the city's war on vice and crime in general.

Guy Banister, former FBI director in Chicago, became the No. 3 man on the force with duties as chief investigator and supervisor of training.

Direct control of the three-man bureau of investigation, formerly vested with the superintendent, will be one of Banister's principal assignments.

Another will be supervision of the police training school where recruits are instructed in the fundamentals of law enforcement.

Maj. Albert Blancher, who has been head of the training school, now becomes night supervisor, a post vacant since the retirement of Maj. Henry Clark more than a year ago.

Assistant police Supt. Provosty A. Dayries, chief law enforcement officer, said he expects to draw on Banister's experience for aid in suppressing the remnants of gambling and prostitution.

Law enforcement, which figures indicate improved last year, was in line for strengthening with assignment of Banister.

Years of Work Cited

"With Mr. Banister's many years of work in the field of investigation," said Dayries, "he should provide assistance in our campaign on all forms of vice."

Banister carries the title of secretary of police under law which provides for civil service and designates the three appointive positions in the department.

But Dayries said Banister's title may be changed to one more descriptive of his position such as "police inspector."

Acting police Supt. Joseph L. Scheuering praised assignment of Blancher to the night supervisory post as a boon to enforcement.

"Blancher is a very capable officer, with many years in the department, and should provide the needed supervision at night," said Scheuering.

Early conferences with Banister and Blancher are scheduled by Scheuering and Dayries to map plans under the reorganized command.

The appointment of Banister by Mayor Chep Morrison came in the aftermath of inquiries into police department administration.

Probes Conducted
First the federal and parish grand juries, then a special citizens committee conducted investi-

See POLICE—Page 2.

Police—

gations into alleged tieups between police and the rackets.

Dayries' assignment almost a year ago to the second top command post was the first step in improving administration.

Today, most police officers feel there has been improved enforcement. Figures seem to bear out this assumption.

Another step taken by Mayor Chep Morrison was appointment of the bureau of investigation headed by Edward K. Pinner, an attorney.

The bureau is the eyes and ears of the department, acting as a clearing house for complaints against and by police.

Scheuering said Banister's appointment was the outgrowth of a conference between the acting chief and the mayor.

"We feel Mr. Banister is well-fitted for the task which he has been assigned," Scheuering asserted. "He comes to us with a high recommendation from the Chicago police commissioner, Timothy O'Connor."

In the shuffle, Andrew Guiravich, Scheuering's secretary, was reassigned to the district attorney's office.

Placed on Acting Status

Severely criticized by the council-appointed citizens committee, Scheuering was placed on acting status last May while Morrison pondered charges of maladministration against him.

Throughout the many hearings and inquiries into his operations, the police head has maintained innocence of any wrongdoing and defended his administration.

Scheuering goes before the council Wednesday for a public inquiry into his fitness as the top commander in the police organization.

Outwardly, Scheuering seems unmoved by the efforts for his dismissal, and exudes confidence that

his record will be cleared in the end.

"One thing is certain," said Scheuering, "we've kept our arguments cleaner than the other side."

"And as I've repeated many times before, we've always cooperated with every investigation of the police department."

Rank and file officers eagerly await the outcome of the inquiry into Scheuering's administration and the final status of Dayries and Banister in the police command.

Only Ex-FBI Man on Force

As supervisor of the bureau of investigation, Banister will be in a spot to observe closely the inner-workings of the department and assess any outside influence on operations.

As supervisor of training, Banister will be in position to instill in new recruits the high standards of FBI police work.

Dayries hopes Banister will be brought in on investigations of every nature. The retired agent will be the only former FBI man in the department.

Stressing the importance of recruit instruction in police operation, Scheuering commended Blancher's supervision of the training school.

"But we recognize that in police work, like all other activity," said Scheuering, "there's no such thing as perfection and there's always room for improvement."

Scheuering tagged Banister also as a liaison officer between police and federal law enforcement agencies.

- Mr. Tolson ✓
- Mr. Boardman ✓
- Mr. Nichols ✓
- Mr. Belmont ✓
- Mr. Harbo ✓
- Mr. Mohr ✓
- Mr. Parsons ✓
- Mr. Rosen ✓
- Mr. Tamm ✓
- Mr. Sizoo ✓
- Mr. Winterrowd ✓
- Tele. Room ✓
- Mr. Holloman ✓
- Miss Gandy ✓

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"And as Banister becomes oriented in our operations," the police chief explained, "he'll be used in various other functions for which he may be suited."

See Improved Morale

One of the continuing problems in the department is morale in the face of frequent public criticism of police conduct.

Scheuering says morale is high in view of recent inquiries which have heaped charges against the department.

But the appointment of Banister, bringing to the department the prestige of FBI service, is expected to improve the esprit de corps of policemen.

Increasingly higher standards for employment in the police department promise better enforcement.

Pinner, whose bureau began operation last August, said an 11-page application has supplanted the one-page form required of police applicants.

Bureau

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MAR 23 1955

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Mr. Quinn	_____
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"We even require police officers to take a non-Communist oath now," said Pinner.

"Every facet of the applicant's background is investigated before he is hired. The new application is modeled after the FBI form."

Likewise, Scheuring said the police department will not lower its standards, regardless of the time required to fill vacancies.

More Improvement

More improvement in the police department came with adoption of the forced retirement system, Scheuring said.

Current provisions forbid an officer from continuing in his job after reaching 70. The age limit will be reduced to 65 in August, 1956.

In its first year of operation, eight officers from patrolman to captain were retired by the system. This year, only one officer is scheduled for retirement.

"The new retirement provisions give a man more to look forward to, and mean more efficiency in the department," Scheuring explained.

"Now, an officer may retire after 21 years at 51 per cent of his salary, and the scale is graduated up to 30 years at a maximum of 60 per cent of pay.

"Formerly, an officer could retire after 20 years at 50 per cent. But to get any more than 50 per cent, he had to remain on the force another 10 years."

The old system gave rise to the type officer who "hung on" several years longer just to get the maximum benefit, Scheuring noted.

All-Time High

With an allotted strength of 1223 officers for 1955, including school and traffic guards, the police department will be at an all-time high in number of personnel.

Just recently the council authorized appointment of 70 additional patrolmen. The department had requested 150.

When all uniformed positions are filled, the department will include 724 patrolmen, 66 desk sergeants, 72 regular sergeants, 34 lieutenants and 24 captains.

In addition, there are 68 detectives, 100 part-time school zone guards and 32 part-time traffic control guards.

New Orleans' police strength compares favorably with that of Seattle, Dallas and Atlanta, but is under such cities as Indianapolis and Baltimore.

Dayries observed that, with all the elements present for fostering crime, New Orleans is comparatively a law-abiding city.

"We are a port city, a big city and a tourist city," he said. "These elements tend toward law violations. But oddly enough, it's been my observation that we have less crime than cities without these characteristics."

Outsiders to Blame

"Our own population is mostly law-abiding. Records show most of the city's robberies and other crimes are committed by outsiders."

When Dayries became assistant superintendent on Milton L. Durel's retirement, he was handed the task of wiping out organized houses of prostitution and gambling.

Nine prostitution and gambling cases have been accepted by district attorney Leon D. Hubert Jr.

for prosecution. Ten are being studied by Hubert's staff.

Dayries' action came swift.

Real estate operators and landlords were informed by letter of vice violations in their buildings, and given a period in which to restore law compliance.

Any owners who hood-winked Dayries' instructions faced padlocking of their establishments, whether barrooms or residences.

Several barrooms were closed for gambling violations, but Dayries has found progress tougher in prostitution cases where the district attorney was beaten in a test padlocking case.

But landlords usually co-operated with police and drove prostitutes from their premises.

3541 Gambling Arrests

Dayries said there no longer exists any organized gambling or houses of prostitution, unless they have appeared without police knowledge.

"As far as we can determine," explained Dayries, a retired Army colonel, "the few handbooks and lotteries are operated by individuals locally with no connection with an outside ring."

Dayries' record shows 3541 arrests for gambling, prostitution and B-drinking in 1954, compared with 2457 the previous year.

In the same period, police handled a total of 143,541 complaints, 19,247 more than in 1953.

Capt. Al Theriot, police public information officer, attributed the rise in number of complaints to a population increase and increasing public awareness of police services.

Members of the police narcotics squad, cited on the floor of Congress for their record last year nabbed 154 persons on drug charges, 32 more than in 1953.

Narcotics Figures

Narcotics seized by the squad last year were valued at \$183,337 against a figure of only \$18,228 for the previous 12 months. Most of this was taken in a single haul.

Perhaps the major achievement of the squad in 1954 was the smashing of a teen-age narcotics ring which led to arrests of 48 juveniles.

Police last year closed 307 bars for violations and operating without permits. In recent weeks, police began a drive on taverns which serve drinks to minors.

Dayries said police are pressing for an ordinance which would require fingerprinting of all barroom employees.

"It would also require them to wear badges with their names and pictures to assure no barrooms would hire employes with a police record," he asserted.

Increased police activity is reflected in the traffic bureau which last year issued 215,147 violation tickets, compared with 183,019 in 1953. Traffic arrests totaled 4604 compared with 4215 for the year before.

Intensive Campaign

Under Dayries' directive, police waged an intensive campaign to clear the streets of abandoned automobiles.

At the end of the year, 1559 vehicles had been towed into the auto pound at Perdido and S. Liberty. The figure for 1953 was 582.

Dayries warned he plans no let up in any of the drives undertaken at his command.

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SCHEUERING ADMINISTERS OATH TO NEW AID



MAYOR CHEP MORRISON, left, and city councilman JAMES E. FITZMORRIS JR., right, look on as JOSEPH L. SCHEUERING, second from right ad-

ministers the oath to GUY BANISTER, who became third ranking officer in the police department.

—New Orleans States Photo.

Banister Tells Views On Job

Guy Banister, square-jawed former FBI man who likes to call himself a policeman's policeman, said in New Orleans today training is the key to the making of a good cop.

In an interview this morning before being sworn in as third in command of the New Orleans police department, the 53-year-old Monroe native outlined his own understanding of what his duties will be:

"I am to forge the weapon for the use of the superintendent of police."

The weapon is police personnel. The forging will be the training of these men.

Banister has been employed for \$9000 a year to head up police training, a phase of police work which the special citizens' investigating committee charged was lagging here.

The new police official, whose temporary title will be secretary to the police department, said he did not know the setup of the police investigative unit which he is also to head.

Mayor Chep Morrison has announced that Banister will be in charge of the police department's "little FBI," a three-man unit charged with the responsibility of conducting investigations of

See BANISTER—Page 2

Banister—

alleged police misconduct or laxity.

Banister arrived in New Orleans this morning from Chicago, where he recently retired as agent in charge of the Chicago office of the FBI.

He retired after 20 years of government service, having first entered the FBI after six years on the Monroe police department as a patrolman and secretary to the chief.

Views Strictness

Banister, who drew up police training courses adopted by the University of Idaho, said discipline should be strict in the police training school.

"Discipline will be strict in the training school if it is not already, and I feel sure that it is," he said. "The training school adapts the policeman to the harness of duty."

He said that the police department is entitled to "my full efforts and ability and I will do my best."

"This police department no doubt has a lot of good men," he said. "I do not know of a department which does not have a lot of good men."

- Mr. Tolson.....
- Mr. Boardman.....
- Mr. Nichols.....
- Mr. Belmont.....
- Mr. Harbo.....
- Mr. Mohr.....
- Mr. Parsons.....
- Mr. Rosen.....
- Mr. Tamm.....
- Mr. Sizoo.....
- Mr. Winterrowd.....
- Tele. Room.....
- Mr. Holloman.....
- Miss Gandy.....

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NEW ORLEANS STATES
NEW ORLEANS, LA.
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71 MAR 24 1955

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Mystery Shrouds Return Of Banister

Guy Banister will return to duty with the police department in three days, but mystery still shrouds the nature of the "duty." Police Supt. Dayries today again refused to reveal what his

orders to Banister will be when the suspended assistant superintendent returns to the force Saturday.

Dayries repeatedly has refused comment on Banister's au-

ties since he announced more than a month ago that Banister's suspension will expire June 1. However, Banister holds an unclassified position and civil service law forbids him from being assigned to duties which would normally be handled by a civil service employe. Only three unclassified jobs exist in the police department—the superintendent, assistant superintendent, and secretary. Present secretary of the department is Maj. Albert Blanchier.

Mayor Morrison has said that Banister would be assistant superintendent when he returned.

Dayries

(CONTINUED FROM PAGE 1)

What will be the duties of Mr. Banister when he returns to duty Saturday?

A. He will have his instructions on returning to the department. That's all, I'm finished.

Q. Will his duties be other than those of an assistant superintendent of police? Mayor Morrison recently is quoted as saying that Banister would return as assistant superintendent.

A. I refer you to the last part of my first answer.

Q. Have you discussed with Morrison what Banister's duties will be when he returns?

A. No comment.

Q. Do you now see eye to eye with Morrison on the Banister question? As you know, in a statement announcing that Banister would return on June 1, you said you were returning him to duty at the request of the mayor.

A. No comment.

A. No comment.

NEW ORLEANS ITEM
NEW ORLEANS, LA.

5/29/57

Page 1 Cols. 1 - 5

Police Dept.

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Suspended Orleans Investigator Lauded

Guy Banister, New Orleans crusader against police corruption and communism, has received strong commendation at a time he needs it.

The first district Americanism committee of the American Legion has issued a statement high in praise of Banister for his work against communism in New Orleans. The committee represents more than 5,000 Legionnaires in the New Orleans region, and this means that the assistant superintendent of New Orleans police, has extremely strong support. Five thousand organized persons and their friends can carry tremendous weight.

Banister, former Monroe police officer, former secretary to a Monroe chief of police and an F. B. I. agent for 20 years, prior to his appointment as assistant superintendent of New Orleans police, especially charged with investigating police corruption, is now under suspension because of a recent incident in a New Orleans bar.

The American Legion group, in its resolution, said it felt that the work of Banister should not be curtailed in any manner.

"It is the policy of the American Legion to support all local officials who are importantly contributing to the knowledge of the general public concerning the menace of communism," F. J. Brown, chairman of the committee, said.

The resolution pointed out that the first district Americanism committee went on record in appreciation of the "valuable work that has been accomplished thus far."

That Banister was subjected to an embarrassing situation in the New Orleans bar is undisputed. The officer says he was making a tour of some of the night spots with two out-of-town friends—also former

RICHARD HALE, GEN. MANAGER
MONROE MORNING WORLD
MONROE, LA.

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er F. B. I. members—and that police disarmed him at one of the bars, following a reported scuffle.

It does not seem reasonable that an officer with an excellent record throughout his 25 to 30 years of police work, would purposely create such an incident. An officer who boldly attacks corruption and communism in a big city is certain to arouse the wrath of powerful enemies. It is altogether likely that the incident was deliberately provoked in an attempt to strike at Banister's character and to remove him as an obstacle to continued activities of the communists and corruptionists.

Mr. Tolson	
Mr. Boardman	
Mr. Belmont	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Mohr	
Mr. Winterrowd	
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Miss Gandy	

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Caravanough

Police Department
New Orleans, La.

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Grand Jury May Probe

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- Mr. Parsons _____
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- Mr. Holloman _____
- Miss Gandy _____

Banister Gun Charge

Chief Orders Suspension Of Assistant

An investigation by the Orleans parish grand jury into allegations that assistant Police Supt. Guy Banister caused a disturbance in a French Quarter bar appeared imminent today.

Meanwhile, Banister, who once headed all probes of police irregularities, was called as a witness today by the federal grand jury reportedly looking into unreported incomes of several New Orleans policemen.

Police Supt. Provosty Dayries, NEW ORLEANS STATES NEW ORLEANS, LA. 3/4/57 Page 1, Cols. 7 & 8

who suspended Banister indefinitely, indicated today he would take action when a final report of the investigation is made to him.

Mayor Chep Morrison, asked for comment on the Banister incident today, said:

"Mr. Dayries has kept me informed throughout the week end. As yet, no participation by me in the case has been indicated. I am sure all these reports will be referred to me to be reviewed."

Accused of Threat

Banister, a controversial figure in the department who has clashed with Dayries on several occasions, is accused of threatening a bartender and drawing his revolver in the Old Absinthe House bar at Bourbon and Bienville Friday night.

He denies the allegations.

Dayries reminded, in response to questions today, that he has liberty to take administrative ac-

tion in the Banister case if the final report indicates such action.

He may act at any time, whether the district attorney or the grand jury has considered the case, he said.

Dayries, asked whether he would dismiss Banister or ask him to resign if his study of the report indicated Banister should be separated from the department, replied:

"My answer is this: I once told the council this department is

See BANISTER--Page 2

*Police Department
New Orleans, La*

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DATED 3-4-57
FROM NEW ORLEANS ITEM
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Banister—

too big for one set of rules for the man's behavior."

District Attorney Leon D. Hubert Jr. would not confirm or deny that the jury will be asked to consider the case against the city's second-ranking police officer.

In the past, however, Hubert has followed a policy of turning cases of public importance over to the jury rather than press charges directly.

A new parish grand jury was sworn into office today and it appeared the Banister case would be presented to jurors just as soon as police investigation is completed.

Hubert did confirm he understood a police report was being prepared for the district attorney's office.

'Impartial Study'

"I will handle it like any other matter which comes before us," the district attorney said. "I will make a cool and impartial study of the entire record."

Police Supt. Dayries last night suspended Banister from the department "indefinitely."

He took the action and served notice to Banister in a letter which said:

'No Alternative'

"I have before me all the information collected thus far relative to the allegation of misconduct on your part occurring in the Old Absinthe House bar, Friday, March 1, at approximately 7 p. m.

"After considering the information, I find that I have no alternative but to suspend you immediately and indefinitely.

"Upon receipt of a complete investigative report from agents Maurice A. Lonergan Jr. and Kenneth G. Blackwell Jr. and Capt. Presly Trosclair Jr., I will make a final decision in this matter and notify you accordingly."

Banister Reaction

Banister's reaction to the suspension was this comment:

"It seems a precipitous action to take when the investigation has not been completed."

There was no indication of when the probe of the Banister incident would be complete.

Supt. Dayries issued a lengthy

statement last night summarizing the developments of the investigation.

The police superintendent said:

"I have reviewed and carefully considered reports gathered up to date in an incident which occurred Friday, March 1, 1957, at the Old Absinthe House bar, Bourbon and Bienville.

"These reports indicate clearly that the nature of the complaint and the facts gathered are of such a serious nature that I am compelled to suspend at this time in this matter."

"Capt. P. J. Trosclair Jr., commander of the First District, and Agents Maurice Lonergan Jr. and Kenneth G. Blackwell Jr. of the police bureau of investigation, have been conducting an almost continuous investigation into the entire matter."

Probe Continued

"The investigation is being continued."

"A copy of the final report will be submitted to the district attorney's office."

"Important facts at hand are these:

"1. Benjamin Murray, 30, 2616 St. Ann, bartender, in a verbal statement, which was later augmented by signed documents, said that he was the victim of an unprovoked attack by Chief Banister, during which he was grabbed by the jacket and cursed.

"In this connection, a jacket with two buttons missing is held as evidence. One button, matching those on the jacket, was found by Capt. Trosclair on the floor where the incident happened."

"Murray said he heard George Johnson, 30, 6959 Gen. Haig, a customer, and other patrons say Chief Banister had a gun. Murray saw an object in Chief Banister's hand.

"2. George Johnson said in a verbal and later in a written, but unsigned document, that he witnessed the attack on Murray and that he saw Chief Banister with a gun in his hand.

"3. Lawrence G. Muhoberac, 42, 4228 Frenchmen, bar manager, said in a verbal statement, later augmented by a signed document, that he saw Chief Banister with a gun in his hand."

Suspension

"4. Miss Lucy Iglesias, 30, 616



GUY BANISTER

... grand jury witness ...

Ursuline, a customer, said in a signed document, that she saw Chief Banister involved in some discussion with Johnson.

"5. Richard A. Jacob, 25, 334 1/2 Painters, a customer and a companion of Miss Iglesias, said he saw Johnson and Chief Banister in a commotion and that a short time later Johnson returned to his seat next to Jacob.

"Johnson told him," Jacob said, "that Chief Banister had a gun and had reached over the bar and grabbed the bartender by the collar.

"Jacob said Johnson, after telling him this, pointed Chief Banister out to the first policeman who entered the bar. Didn't See Altercation

"6. Frank V. Battle, 50, Desplaines, Ill., a New Orleans visitor, and a companion of Chief Banister, in a signed statement, said he did not witness any al-

tercation involving Chief Banister.

"Battle was walking toward a telephone with Chief Banister when he was interrupted by a woman who thought she recognized him.

"Battle and the woman struck up a conversation and were engaged in this conversation until the police officers walked in.

"7. Charles F. Short Jr., 43, Kenilworth, Ill., a customer and companion of Chief Banister, sitting at the bar, saw Battle and Chief Banister walking toward the telephone and then saw Battle talking with the woman. Short said in his statement that the next thing he knew was that he saw two uniformed men with Chief Banister.

He said he had seen no altercation involving Chief Banister.

"8. Edward Despoux, 30, 2854 Grand Route St. John, a customer who knew Chief Banister and joined his party after being introduced to Battle and Short, said he saw Chief Banister go to the telephone. Despoux did not know that police officers had walked in and that Chief Banister had been disarmed until he walked to the sidewalk later.

Chief Banister, Dayries' statement said, asserted: "I did not draw or display my revolver intentionally, there was no occasion."

"There were no police officers involved in the actual incident in the bar. The first policeman called was a private patrolman, summoned by a waiter, who in turn called on Ptn. Louis Markey, on the street, for assistance."

15 Statements Taken

In all, 15 statements about the incident had been taken by investigating officers and turned over to Dayries.

Among these were two from deputies of St. Bernard parish who said they stopped a car in which Banister was riding for speeding Friday afternoon about two miles east of the Chalmette courthouse.

Deputies John Celino and Herman Alfonso said a passenger in the car identified himself with police credentials as Banister.

Both said Banister acted in a gentlemanly manner, telling them he was on official business. Both said he appeared sober.

However, while agreeing they did not think Banister was drunk, the deputies disagreed on

whether they smelled any liquor on his breath. Celino said he believed he did smell the odor of liquor. Alfonso said he did not smell any liquor.

Nothing to Say

Banister this morning said he would have nothing further to say about the incident until the investigation is complete. He intended today to go to police headquarters and turn in the vehicle which is assigned to him.

In his denial, Banister said he did not push, shove or grab or hold any person and no one put their hands on him. He said he did not draw or display his revolver. And he said he was not drunk.

The assistant superintendent was named to his post by Mayor Chop Morrison several years ago to head the investigation into alleged police graft and corruption.

Other Conflict

Last year, Banister was relieved of command of the FBI—the police bureau of investigation which handled cases involving officers. Mayor Morrison later announced the police probe was over.

There has been conflict between Dayries and Banister on several occasions. In some instances, orders given by Banister were countermanded by Dayries.

Banister reported at one time that his investigation showed some 98 persons were involved in police graft—either on the giving or receiving end.

The Metropolitan New Orleans crime commission has referred to this report in asking the mayor to outline progress in the police investigation since the time he declared it over.

Several weeks ago, city Councilman Fred J. Cassibry asked Morrison to permit Banister to report on recommendations which he made for administrative action in connection with police irregularities.

The mayor said Banister could not be allowed to do this because he had made such reports before the grand jury, and jury matters are secret.

Banister Suspended; Hits 'Discrepancies'

- Mr. Tolson _____
- Mr. Nichols _____
- Mr. Boardman _____
- Mr. Belmont _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Trotter _____
- Mr. Nease _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

Asst. Police Supt. Banister, suspended indefinitely by Supt. Dayries after an incident in a barroom in which Banister is accused of having drawn a gun, charged today there are "discrepancies" in the case against him.

In suspending Banister, Supt. Dayries added that he was awaiting a complete investigative report before making a final decision as to Banister's fate—that is, whether he will be fired or reinstated.

Banister also said that he is awaiting this report before he decides what action he will take. He said a number of lawyers have offered him their help but he has declined their services for the present.

THE INCIDENT which led to Banister's suspension occurred at 8 p. m. Friday at the Old Absinthe House, 240 Bourbon. Banister was notified by a messenger from Dayries to the Banister home at 11:30 p. m. yesterday of the suspension.

Banister said on receiving the message that the only comment he had at that time was that his suspension "seems a precipitous action to take when the investigation has not been completed." Again, he repeated his statement of Saturday, "I deny all charges and accusations made against me."

Dayries in his letter to Banister said he had before him "all the information so far collected relative to the allegation of misconduct on your part" at the Old Absinthe House. Dayries added, "I find that I have no alternative but to suspend you immediately and indefinitely."

DAYRIES SAID in his letter to Banister a final decision by him is being withheld pending a complete investigative report

from FBI agents Maurice A. Longgan, Jr., and Kenneth G. Blackwell, Jr., and Capt. Presley Trosclair, Jr." Dayries added that he would "make a final decision in this matter and notify you accordingly."

Dayries in a statement over the police teletype notified the department of Banister's suspension. He said the facts are of "such a serious nature" he had been compelled to act. He said a final report of the (See BANISTER, Pg. 3, Col. 6)

Banister

(CONTINUED FROM PAGE 1)
investigation will be submitted to the district attorney.

Dayries in the police teletype statement said he suspended Banister for the following reasons:

Benjamin Murray, 30, of 2616 St. Ann, bartender at the Old Absinthe House, in oral and signed statements, said "he was the victim of an unprovoked attack by Chief Banister during which he was grabbed by the jacket and cursed. In this connection a jacket with two buttons missing is held as evidence.

"One button matching those on the jacket, was found by Capt. Trosclair on the floor where the incident happened. Murray said he heard George Johnson, 30, of 6959 Gen. Haig, a customer, and other patrons say Chief Banister had a gun. Murray saw an object in Chief Banister's hand."

Dayries said also that Johnson in oral and written statements declared "he witnessed the attack and that he saw Chief Banister with a gun in his hand."

Dayries also added that "Lawrence G. Muhoberac, 42, of 4228 Frenchmen, manager of the bar, made oral and written statements that he saw Chief Banister with a gun in his hand."

New ORLEANS, LA.

M. J. Johnson
Garman

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John
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NEW ORLEANS, LA.

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Page 1 Col. 8

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Chep Kept 'Informed'

Mayor Morrison said today all reports of investigations in the Banister case will be reviewed by him before any final action is taken.

Asst. Supt. of Police Banister has been suspended indefinitely by Supt. of Police Dayries because of an incident Friday in the Old Absinthe House.

"Mr. Dayries has kept me informed throughout the week end," said the mayor. "As yet no participation by me in the case is indicated."

Askd if the federal grand jury investigation into graft and police incomes meant a reopening

See story on Page 1

by the city of its police investigation, Morrison said that investigation of alleged police misconduct has never stopped.

"ANY IMPRESSION created last June that investigation has stopped was erroneous," said Morrison. "What we did at that time was reduce the full-time investigative force from 17 men to four, the normal complement of the Police Bureau of Investigation. If the volume of investigative work increases, the size of the PBI can be increased."

He said Dist. Atty. Hubert and Supt. Dayries have formally asked the federal government for any new evidence developed in the present federal investigation, but so far have received none.

The mayor said the U. S. government can get information through income tax returns that is not available to local officials. He said he has vainly sought legislation making this information available to local officials.

He said the city wants to take action in these cases, criminally or administratively, as soon as it obtains information from the federal government, which has asked the city in the meantime to hold off investigating.

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Beardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. Nease	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

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Mr. Tolson	_____
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Mr. Trotter	_____
Mr. Nease	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

Police Department - New Orleans Louisiana

J.S. Giffers

BANISTER WITNESS

INDEXED-18
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IN U.S.
COP PROBE



GUY BANISTER

... Just before appearing before the Federal jury

Jury Told Of Police Pay Case

Suspended Asst. Police Supt. Banister today appeared before the U. S. Grand Jury here which already has indicted two policemen in connection with its investigation of officers' taxes and incomes.

He had received a subpoena, but said he was a "voluntary" witness.

* * *
HE WAS ONE of seven witnesses called to testify today before the Federal Jury. He entered the jury room at 10:15 a. m. He was before the jury for 45 minutes.

Banister spearheaded the New Orleans police department's own investigation of a graft system within the department.

* * *
HE EXPLAINED the background of this investigation to the U. S. jury today, it is understood.

U. S. Attorney Many Hepburn said the jury is conducting a "continuing" investigation of tax liabilities of high-level members of the police department.

The two indicted officers were charged with perjury before an agent of the Treasury Dept. and before the grand jury itself in denying any knowledge of a police graft system.

* * *
THE INDICTED men are Ptn. Joseph P. Conrad and Sgt. Albert Caruso.

U. S. Attorney Many said that the investigation that led to the policemen's indictment shows "beyond any doubt that certain police officers have received substantial amounts of unreported income."

Many said that the indictment of Caruso and Conrad was a clear warning to all persons that his office will vigorously prosecute any person who testifies falsely before the grand jury or who makes a false statement to any agency of the federal government in the course of the investigation.

ACTION BY DAYRIES SUSPENDS BANISTER

- Mr. Tolson.....
- Mr. Nichols.....
- Mr. Boardman.....
- Mr. Belmont.....
- Mr. Mohr.....
- Mr. Parsons.....
- Mr. Rosen.....
- Mr. Tamm.....
- Mr. Trotter.....
- Mr. Nease.....
- Tele. Room.....
- Mr. Holloman.....
- Miss Gandy.....

Order Follows Review of Bar Incident

Police Supt. Provosty A. Dayries said Sunday assistant Supt. Guy W. Banister has been suspended indefinitely.

The announcement was made in the form of a police bulletin sent by teletype to all districts and bureaus at 6:40 p. m.

The bulletin stated: "Effective at 6:30 p. m. this date Sunday, March 3, 1957, the assistant superintendent of police has been suspended indefinitely by me." The bulletin was signed by Dayries.

Banister was handed a letter of suspension from Dayries by a police messenger at 11:30 p. m. Sunday. He received the letter at his home and handed it to a reporter who had been waiting hours to see him.

"I have no comment to make at this time except that it seems a precipitous action to take when the investigation has not been completed," Banister told the reporter.

Stands by Denial
He said he stood by his statement of Saturday in which he stated: "I deny all charges and accusations made against me."

The text of Dayries' letter to Banister follows:

"I have before me all the information collected thus far relative to the allegation of misconduct on your part occurring in the Old Absinthe House bar, Friday, March 1, at approximately 7 p. m.

"After considering the information, I find that I have no alternative but to suspend you immediately and indefinitely.

"Upon receipt of a complete investigative report from Agents Maurice A. Lonergan Jr. and Kenneth G. Blackwell Jr. and Capt. Presley Trosclair Jr., I

will make a final decision in this matter and notify you accordingly."

Reports Considered
In a statement issued after the bulletin went out over the teletype, Dayries said:

"I have reviewed and carefully considered reports gathered up to date in an incident which occurred Friday, March 1, 1957, at the Old Absinthe House bar, Bourbon and Bienville.

"These reports indicate clearly that the nature of the complaint and the facts gathered are of such a serious nature that I am compelled to act at this time in this matter."

Capt. P. J. Trosclair Jr., commander of the First District, and Agents Maurice Lonergan Jr. and Kenneth G. Blackwell, of the police bureau of investigation, have been conducting an almost continuous investigation into the entire matter.

Probe Continued
The investigation is being continued.

"A copy of the final report will be submitted to the district attorney's office.

"Important facts at hand are these:

"1. Benjamin Murray, 30, 2616 St. Ann, bartender at the Old Absinthe House bar, in a verbal statement, which was later augmented by signed documents,

Continued on Page 2, Column 2

Continued from Page 1
said that he was the victim of an unprovoked attack by Chief Banister, during which he was grabbed by the jacket and cursed.

"In this connection, a jacket with two buttons missing is held as evidence. One button, matching those on the jacket, was found by Capt. Trosclair on the floor where the incident happened.

"Murray said he heard George Johnson, 30, 6859 Gen Haig, a customer, and other patrons say Chief Banister had a gun. Murray saw an object in Chief Banister's hand.

"2. George Johnson said in a verbal and later in a written, but unsigned document, that he witnessed the attack on Murray and that he saw Chief Banister with

a gun in his hand.

"3. Lawrence G. Muhoberac, 42, 4228 Frenchmen, bar manager, said in a verbal statement, later augmented by a signed document, that he saw Chief Banister with a gun in his hand.

'Discussion'
"4. Miss Lucy Iglesias, 30, 616 Ursuline, a customer, said in a signed document, that she saw Chief Banister involved in some discussion with Johnson.

"5. Richard A. Jacob, 25, 2734 1/2 Paipeters, a customer, and a companion of Miss Iglesias, said he saw Johnson and Chief Banister in a commotion and that a short time later Johnson returned to his seat next to Jacob.

"Johnson told him," Jacob said, "that Chief Banister had a gun and had reached over the bar and grabbed the bartender by the collar.

"Jacob said Johnson, after telling him this, pointed Chief Banister out to the first policeman who entered the bar.

Didn't See Altercation

"6. Frank V. Battle, 50, Desplaines, Ill., a New Orleans visitor, and a companion of Chief Banister, in a signed statement, said he did not witness any altercation involving Chief Banister.

"Battle was walking toward a telephone with Chief Banister when he was interrupted by a woman who thought she recognized him.

"Battle and the woman struck up a conversation and were engaged in this conversation until the police officers walked in.

"7. Charles F. Short Jr., 43, Kenilworth, Ill., a customer and companion of Chief Banister, sitting at the bar, saw Battle and Chief Banister walking toward the telephone and then saw Battle talking with the woman. Short said in his statement that the next thing he knew was that he saw two uniformed men with Chief Banister.

He said he had seen altercation involving Chief Banister.

"8. Edward Despoux, 30, 2854 Grand Route St. John, a customer who knew Chief Banister and joined his party after being introduced to Battle and Short, said he saw Chief Banister go to the telephone. Despoux did not

know that police officers had walked in and that Chief Banister had been disarmed until he walked to the sidewalk later.

Chief Banister, Dayries' statement said, asserted: "I did not draw or display my revolver intentionally, there was no occasion."

There were no police officers involved in the actual incident in the bar. The first policeman called was a private patrolman, summoned by a waiter, who in turn called on Ptn. Louis Markey, on the street, for assistance.

Capt. P. J. Trosclair, commanding officer of the First District who has been conducting much of the investigation, read the statement in Dayries' office before it was issued.

Fifteen statements on the case had been turned over to

TOP CLIPPING
DATED 3-4-57
FROM NEW ORLEANS
MARKED SEARCHED INDEXED
SERIALIZED INITIAL FILED
MAR 4 1957
FBI - NEW ORLEANS

THE TIMES-PICAYUNE
NEW ORLEANS, LA.
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Supt. Dayries by investigators late Sunday night.

Among the statements was one by a St. Bernard parish deputy sheriff who said he stopped a car in which Banister was riding Friday afternoon between 4 and 4:30 p.m. because the vehicle was exceeding the speed limit.

The deputy, John Celino, said after the man got out of the car he (Celino) and another deputy "asked him where he was going in a hurry and he told us he was on official business and then he showed us his credentials. My partner checked them. The man

said his name was Banister, assistant chief of the police department in New Orleans."

Celino noted that Banister was a passenger in the front seat of the car when the vehicle was stopped about two miles east of the courthouse in Chalmette.

"Like Gentleman"

He further stated: "As far as I know the driver wasn't drinking at all, and I would say that Mr. Banister was drinking, but not drunk. The man acted like a gentleman and was very nice and the only reason why I base my opinion on his having been drinking was that I smelled the odor of liquor on his breath."

Others persons in the car were not identified in the unsigned statement.

The other deputy referred to, Herthan Alfonso, gave a similar statement, but noted that "I do not remember smelling liquor on Mr. Banister's breath. He acted like a gentleman and in my opinion he was not drunk."

Celino said the car in which Banister was riding "sounded a siren" when approached by the deputy's car. He said the car was a gray Lincoln.

Indicates Police Car

Supt. Dayries said the description of the car indicates the vehicle was a police department car assigned to Banister. He said a description of the two men with Banister as provided by the deputies indicated they were Short and Battle and that Short was driving.

Dayries said it is a breach of department regulations for a police officer to allow another person to operate an assigned police department car.

Here are high lights from the unsigned statement of one of the chief witnesses, George E. Johnson, 66, 6959 Gen. Haig:

"I saw somebody reach over the bar and grab Ben (barten-

der Benjamin Murray) and try to put him over the bar. Just prior to this I had heard Ben and Larry, the other bartender, send someone after Vincent the special cop and in anticipation of the trouble I was looking around to see what it was.

"Ben got loose from the man, ran back around the bar and out the back door to try to come in to catch the man. I moved from my place in the bar to stop Ben from getting to him, and I met Ben in the doorway prior to his getting to the man and stopped him."

With Gun in Hand

"Ben turned and started away and when I turned around again the man was standing at the bar with a gun in his hand. The gun was not pointed at anybody. It was pointed at the floor.

"The man looked as though he was reaching for his trouser pocket with his right hand, and when his hand came back out it was empty. He looked at me and he said, 'Do you know what you're doing?' I didn't advance toward him at all. He reached toward me with his right hand. I grabbed his wrist and pushed his hand away."

Johnson said the man twice

more reached toward him and Johnson grabbed his wrist and pushed his hand away.

Johnson said he told the man "I thought I was big enough to finish anything I could start," but did not advance on the man.

After the police officers arrived, Johnson said he was told by one of them that "the man was assistant Supt. of Police Guy Banister."

Misquoted, Is Claim

Johnson, interviewed Sunday by a reporter, heatedly declared that "everything I've said has been misquoted and I'm going to do something about it if it happens again."

He declined, however, to say in what respects he had been misquoted, whether by police or in the press.

Another witness, Jacob, gave this account of the alleged Banister-Johnson incident:

"After Mr. Johnson walked away from Mr. Banister, after being pushed away several times, he came back and sat down next to us. I asked him if there was a fight, and he told me that Mr. Banister has a gun.

"Before he mentioned the gun he said that this man, Mr. Banister, had reached over the bar and grabbed the bartender by the collar. He stated that is why he (Johnson) first jumped up.

"When the first policeman came in Johnson jumped up and I heard him say, 'That's him,' pointing to Mr. Banister. I did not pay much attention until the second policeman came in. This whole incident, I would like to say, occurred very rapidly."

Here, in part, is the statement given by bartender Murray.

"There were two patrons sitting near the phone, who, when Mr. Banister started using the phone, he crowded. It was at this time that I overheard him make a statement to the two men that he had already killed two men and a third wouldn't make any difference.

Sent for Patrolman

"The man, Mr. Banister, appeared intoxicated and unruly, so I sent for the private patrolman Vincent Provenzano to handle the disturbance, but before Vincent could arrive Mr. Banister called me over in words of Walter, come here' in a very loud

tone of voice. So when I walked over to him I placed my hands on the bar and leaned over towards him and told him to lower his voice as he was disturbing other customers and then he grabbed me by the jacket front, tearing my jacket, pulling me towards him, at the same time called me a ——. I became hot and tried to climb over the bar after him. My foot slipped on the refrigeration unit so I decided to go around the bar.

"I went out the service door of the bar and was about to enter into the barroom when a customer known to me as George Johnson grabbed me by my arms and said, 'Don't, Ben, he's got a gun.'"

'Object in Hand'

"I looked at Mr. Banister and there was an object hanging in his right hand which appeared to be at first glance a knife or some similar shaped object, but when my mind was focused back on George Johnson's words and also the fact that at about the same time heard some patrons on the other side of the bar yelling something about a gun, and beginning to duck behind the bar, so I backed away to re-enter the bar and I stood just at the entrance of the bar for maybe 30 or 40 seconds and then Vincent and Louie, the police patrolman on his beat, came in and grabbed the man, Mr. Banister. They frisked him and took his weapon away, then Mr. Banister was led out the side door by a man I came later to know as Sgt. Badeaux."

Sgt. Badeaux, in a report to Dayries, said another witness, identified as Ronnie Lobaz, 709 1/2 Bourbon, told Badeaux that he had seen Banister pull a gun. Dayries said investigators were unable to reach Lobaz to obtain a written statement.

Pulled A Gun, Report States

Asst. Police Supt. Banister was under investigation Saturday for his role in a French Quarter disturbance early Friday evening.

Police Supt. Dayries said, "I will take no action in this matter until I have had the opportunity to study and consider the report of the Police Bureau of Investigation."

Banister, ex-FBI man who was brought here to spearhead the cleanup drive in the Police Dept., was accused by three witnesses of pulling his gun during an argument at the Old Absinthe House Bar, Bourbon at Bienville.

Banister, in a predawn conference at his home with newsmen and a police captain, denied the charges and said that the witnesses were lying.



BEN MURRAY

Investigation of the incident was turned over to Capt. Presly J. Troclair, commander of First District, who will turn over his report to the PBI.

"FACTS" of the incident were still unclear in the wake of a welter of conflicting statements, rumors and varying reports from civilians and policemen alike.

But, in essence, this at least seems to have happened:

Banister and two Chicago lawyers, Frank V. Battle, like Banister a former FBI man, and Charles Shori, Jr., entered the Old Absinthe House Bar about 7 p. m. Friday.

Outside the bar, Sgt. Hubert Badeaux, Ptn. Harold Gearhart and Ptn. Louis Markey were talking.

Badeaux was on his way to dinner at a nearby restaurant.

INSIDE THE BAR a disturbance began involving—apparently—Banister, the bartender, Ben Murray, 30, of 2616 St. Ann, the bar manager, Lawrence Muhoberac, of 4228 Frenchmen, and a customer, George Johnson, 30, of 6959 Gen. Haig.

Badeaux, who has worked with Banister in the Police Bureau of Investigation and the Police Academy, heard a private patrolman, Vincent Provenzano, (See ROW, Pg. 2, Col. 7).

Row

zano, beating a nightstick on the pavement.

Responding to his signal for help Markey and Badeaux ran into the bar.

Markey stepped up behind Banister, removed Banister's .357 Magnum from Banister's holster, and, spinning him around, recognized him as the assistant superintendent.

From this point on the story told by principals involved and others who came to the scene begins to differ.

Banister, at the early morning meeting at his home with Capt. Troclair, First District Sgt. Mercurio Rizzuto and two reporters, said "I recognized Markey as a policeman and then Badeaux stepped between us." (Earlier he had told a reporter he thought Provenzano had taken his gun.)

THEN, AS CAPT. Troclair picks up the story, Sgt. Badeaux told Ptn. Markey he was going to accompany Banister and the two attorneys to a nearby restaurant and they would be available there.

About 8 p. m. Capt. Troclair who had been on parade duty arrived at the scene. Night Police Supervisor Maj. Joseph Guillot also came to the bar.

About 10:30 p. m. a bulletin under the name of Capt. Troclair was issued over the Police Department teletype.

Many allegations in the bulletin were later emphatically denied by Banister.

Capt. Troclair told reporters in Banister's presence that the bulletin was actually composed by Capt. Alfred Theriot, the police information officer.

While he did not deny that the allegations were made, Capt. Troclair said he considered the bulletin "one sided" and its release "premature."

IN THE BULLETIN, Troclair was quoted as reporting Murray, the bartender, said Banister asked for change to use a telephone and "was kind of drunk."

Murray asked Banister to quiet down and was told by Banister that he had "already killed two men and another wouldn't make any difference" (these are the bulletin's quotes and Banister said later that he did not say any such thing).

Banister grabbed Murray's jacket, ripping some buttons off, the bulletin alleges.

It added:

- Mr. Tolson _____
- Mr. Nichols _____
- Mr. Boardman _____
- Mr. Belmont _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Trotter _____
- Mr. Nease _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

J. J. Rogers

W. A. BANISTER
FOR NEXT PAGE

File

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3. J. J. Rogers



THE BARTENDER'S SHIRT, with buttons missing, is examined by Ptn. Louis Markey, the man police say took Asst. Supl. Banister's gun, and Capt. Presly J. Troscclair.

As Murray came from behind the bar, Johnson—the customer—warned him Banister had a gun. Then Muhoberao, the manager, allegedly saw the gun in Banister's hand.

(BANISTER LATER denied all this, and the two attorneys said it didn't happen.)

"All of the witnesses refused to make written or signed statements" (the teletype bulletin's quote: again).

Banister's pistol, the bulletin went on, was turned over to Maj. Guillot, the torn jacket to Troscclair.

Later, Troscclair told reporters, "I took a typewriter to the bar and attempted to obtain signed statements, but Muhoberao, saying he was speaking in behalf of the bar employes, refused to permit any written statements until attorneys for the bar had been consulted."

TROSCCLAIR'S REPORT about the statements came at the meeting at Banister's home.

The captain added that he had spoken twice to Police Supt. Dayries about the incident and Dayries had ordered him to submit a "full and complete" report Saturday morning.

Troscclair added that actu-

(CONTINUED FROM PAGE 1)

ally three persons had investigated the bar disturbance—himself, Badeaux and Guillot.

Reporters then asked Banister the following questions and got these replies:

Q—"DID YOU have anything to drink during the day?"

A—"I had a cocktail before lunch."

At this point, Chicago Attorney Short said he thought it was a frame-up.)

Q—"Do you consider this a frame?"

A—"No comment. I don't want to lay it off as a frame-up—that looks like I'm running for cover."

Q—"Do you consider this a frame?"

A—"No comment."

Q—"Did you wave a gun at someone?"

A—"Do you mean point it?"

Q—"Yes, sir."

A—"Good God, no, man."

Q—"Did you tell someone today that you had killed two men and one more wouldn't make any difference?"

A—"Good God, no, man."

Q—"Did you rip buttons off someone's jacket?"

A—"No."

Q—"DID YOU SCUFFLE with anyone?"

A—"No."
Q—"Did you consider yourself drunk today?"

A—"No."
Q—"Did you have your gun out of your holster or hint at drawing it out?"

A—"No—and I tell you this: I'll get my gun back."

Banister then said he would discuss the disturbance with Police Supt. Dayries later Saturday. His attorney friends said they were canceling their return to Chicago to verify his account of the ruckus.

V. Battle and Charles Short, the Chicagoans who were with Banister at the time.

Battle is a former FBI man who once worked side-by-side with Banister when both were G-Men. Both he and Short were here in their present capacities as attorneys, to try a case in the Fifth Circuit Court of Appeals.

HERE IS BANISTER'S story, supported by Battle and Short: Banister, Battle and Short met for lunch at a French Quarter restaurant. The meeting was the first between Banister and Short.

Banister, after lunch, volunteered to take the visitors on a tour of St. Bernard Parish. Upon their return, they parked at a nearby parking lot and walked to the Old Absinthe House.

HERE, THEY went to the bar and ordered drinks. Banister said he had not gotten his (See BANISTER, Pg. 2, Col. 1) (CONTINUED FROM PAGE 1) drink before he decided to telephone his wife at home. He said he had not been drinking before that afternoon.

"I put the phone up to my ear. Then Vincent (Provenzano, a private patrolman) came up to me and said:

"What are you doing, Chief?"

"The only thing that crossed my mind was: what is a policeman doing with a cigar in his mouth?"

(Banister said he did not realize at that time Provenzano was a private patrolman).

"Then Vincent said: 'Give me your gun.'

"He reached in and took my gun."

(The police bulletin differs sharply here—indicating that Ptn. Louis Markey took the gun from Banister. Banister himself later said it was Markey).

"I didn't think too much about it, I thought:

"He's one of my boys.

"But I asked: 'What's this all about?'"

"And the other policeman (Banister later said he did not know Markey by name) asked me to step outside.

"We'd no sooner gotten outside, it seemed, than Sgt. (Hubert) Badeaux stepped in between us."

BADAUX, Banister, Battle and Short then went to a nearby restaurant where the latter three had planned to eat.

(There, Banister said Badeaux "took statements" from them.

(Badeaux, according to Markey, had informed the patrolmen he would be with the trio at the restaurant and when Capt. Presly J. Trosclair arrived the captain could reach them there).

Trosclair arrived at the restaurant with a patrolman who drives for him. Trosclair sat on one side of Banister, the patrolman on the other.

Trosclair shook his head. Then he made a remark to this effect:

"Isn't it a shame?"

"I'm his counsel," said Short.

(**SHORT AT FIRST** indicated he had said this as a joke, then later said he had meant it seriously. In any event, Banister, Short and Battle agreed that virtually nothing more was said in the restaurant about the incident after that remark.)

Badeaux left, then Trosclair and his driver.

Banister said he had not said a word to the bartender, nor the other witness, George Johnson. He said he had not even noticed them in the bar.

The Item reporter was told by Short that he thought it was a frame-up."

The reporter looked at Banister and Banister said:

"I don't want to lay it off as frame-up—that looks like I'm looking for cover."

MRS. BANISTER then picked up the thread of the story.

She said she learned of the incident through a telephone call from Badeaux. She said Badeaux told her:

"There's a little rumble... It looks like the boss might have walked into one... You know they've been gunning for him."

(Several hours later, Badeaux said Mrs. Banister must have been too upset to understand him. That he hadn't told her that.

"She must have been hysterical. I simply said to her:

"Is Mr. Banister home yet?"

"And she wanted to know what had happened. She had already gotten calls... I told her what I saw...")

BOTH BATTLE and Short chimed in frequently as Banister talked. At times they dominated the talk, but essentially repeated the same story Banister told.

Both vowed to stay in New Orleans and support Banister. They said they had planned before the incident, to leave

New Orleans Friday night, but missed a plane

Both said they planned to make statements to Police Supt. Dayries, Banister's superior.

Banister said he planned to go to work at his usual time Saturday morning and report to the superintendent about the incident.

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- Mr. Boardman _____
- Mr. Belmont _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Trotter _____
- Mr. Nease _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

Banister Role In Vieux Carre

Police Department, New Orleans, La.

Night Spot Row Is Investigated

Are Both Sides Of The Argument

Asst. Supt. Gives His Version

Asst. Police Supt. Banister just a short time after returning to his home Friday night, gave his version of the incident in the Old Absinthe House to an item reporter.

Present besides the reporter and Mrs. Banister were Frank

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ASST. SUPT. BANISTER appeared in his office Saturday morning at police headquarters.

CHICAGO ATTORNEY Frank Batté was in company of Banister Friday evening when row developed.

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Text of Police Bulletin on Banister Investigation

The police bulletin on the investigation involving assistant superintendent of police Guy Banister follows:

First District to headquarters bulletin investigation:

Capt. Presly J. Trosclair reports that at about 8:03 p. m. he was sent to the Old Absinthe House bar, Bienville and Bourbon, to meet Ptn. Louis Markey.

He learned from Ptn. Markey that Markey about an hour before had gone into the bar to investigate a complaint that there was a man with a gun in the place. As he entered, a man whose back was to Markey was pointed out by a patron as the man who had the gun. Ptn. Markey frisked the man, felt a weapon and took it away from him. He then wheeled the man about and saw that the man was Asst. Supt. Guy Banister. Ptn. Markey said that Asst. Supt. Banister had been drinking.

Capt. Trosclair was called to the scene and interrogated persons in the place.

In the meantime, Asst. Supt. Banister had left with Sgt. Hubert Badeaux, who had entered the place and told Ptn. Markey that they would be at a nearby restaurant and could be reached there by Capt. Trosclair.

Capt. Trosclair learned verbally from Benjamin Murray, 30, residing at 2616 St. Ann, a bartender, that the man who Markey had taken the gun away from had asked for change to use a telephone and that he had pushed two men who were sitting near the phone and that the man was kind of drunk.

The man, Murray said, called to him in a loud voice, "Waiter, come over here."

to make written or signed statements:

CAPT. P. J. TROSCLAIR JR.
Commanding Officer

Murray said he asked the man to quiet down and the man answered that he had already killed two men and another wouldn't make any difference.

The man reached across the bar, grabbed Murray by the jacket, Murray said, and cursed him. The buttons were torn off the jacket.

Murray said he started around the bar and a customer, George Johnson, 36, residing at 6959 Gen. Haig, said, "Look out, he has a gun." Murray saw an object in the man's right hand.

Lawrence Nuhoberac, 42, residing at 4228 Frenchmen, the bar manager, said he saw the man near the telephone pull a gun.

George Johnson stated further that he saw the man come into the bar, get some change and scuffle with the bartender. Johnson went over to where they were and he said he saw a gun in the man's hand.

A .357 Magnum was turned over to Maj. Joseph Guillot by Ptn. Markey. A jacket, which Murray gave to Capt. Trosclair and which had two buttons missing, was taken to the First District.

All of the witnesses refused

*Police Department
New Orleans, LA.*

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Mr. Holloman	_____
Miss Gandy	_____

Barman's Version

Here is the first account given by Bartender Benjamin Murray of 2616 St. Ann of his alleged altercation with Asst. Police Supt. Guy Banister in the Old Absinthe House Bar—and in his own words.

Murray:

"BANISTER WAS standing by the telephone and he crowded a man away from the phone, and was trying to dial a number.

"He looked drunk and I looked for the beat cop, Vincent (Provenzano), and I didn't see him and sent a waiter after Vincent.

"Banister called me over in a loud and abusive voice. (See MURRAY, Pg. 2, Col. 3)

Murray

(CONTINUED FROM PAGE 1)

asked him to lower his voice. "When I said that, he reached across the bar, grabbed me by my jacket and started to pull me across the bar.

"WHILE HE was pulling me, he called me an . . .

"I was going across the bar after him but my foot slipped so I ran around the back entrance of the bar.

"When I got within three or four feet of him, I saw he had an object in his hand.

"Then I heard somebody yell 'he's got a gun.'"

Police Department New Orleans Louisiana

J. Edgar Hoover

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Witness Version

Here is the first account given by George Johnson, of 6958 Gen. Haig, who claimed to be an eye-witness to an altercation between Bartender Benjamin Murray and Asst. Police Supt. Guy Banister in the Old Absinthe House Bar.

Johnson:

"I was sitting up at the bar and I heard the bartender (Murray) yell to a waiter to go after Vincent (the beat cop).

"I HEARD some commotion behind me but I thought it was some tourist raising hell.

"When I turned around I saw the man had a black gun.

"I grabbed his wrist.

"He told me to get out of the way or something like that and (See JOHNSON, Pg. 2, Col. 3)

Johnson

(CONTINUED FROM PAGE 1)

I told him I was big enough to take care of myself.

"THEN VINCENT" (Provenzano) and another cop pushed up and grabbed the man.

"They took his gun away.

"I didn't know until later it was Banister, or that he was a cop.

"I didn't hear the first part of the argument."

Police DEPARTMENT - NEW ORLEANS LOUISIANA

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REPORTS CONFLICT IN BANISTER PROBE

No Witnesses Now State Gun Drawn, Say Cops.

Investigation of assistant police Supt. Guy Banister's alleged rush with a French Quarter bartender bogged down Saturday to a welter of conflicting statements.

Late Friday a police bulletin quoted witnesses as saying Banister had provoked a quarrel with a bartender at the Old Absinthe House bar, Bourbon and Iberville, and had drawn a gun. Sgt. Hubert Badeaux, however, said Saturday that witnesses appeared uncertain of what had taken place in the bar and none was willing to state that Banister had drawn a gun.

But police Supt. Provosty A. Dayries, who earlier had declined comment in the case, released this brief statement Saturday night after seeing Badeaux's report:

'No Statements Changed'
 "To my knowledge no witness interviewed in this case so far has changed any phase of his original statement, verbal or written."

Dayries said the police bureau of investigation is co-operating with First District officers in the investigation.

Meanwhile, the commanding officer of the First District, over whose signature the bulletin had been sent out to all district stations and headquarters, said the "bulletin should not have gone out until chief Banister had an opportunity to give his version of the incident."

Dayries Declines Comment
 Dayries and Banister have often clashed over the issue of investigation of alleged graft operations within the police department. Banister at one time was in charge of the investigation.

Banister, a former FBI agent, Saturday vigorously denied all

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 NEW ORLEANS, LA.

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Allegations.
 Sgt. Badeaux and Ptn. Louis Markey were summoned into the Old Absinthe House bar about 7 p. m. by a private police officer, Ptn. Vincent Provettano, who reportedly rapped his night stick against a wall outside the bar to draw their attention.

'Could See Tension'
 Badeaux, describing the incident Saturday, said they went into the bar, and accosted a man with his back toward them, and his hands on his hips. "I could see the tension among the people in there," he said. "They looked ready to jump out the windows."

Badeaux said he ordered Markey to frisk the man, and in doing so Markey spun him around, and both of them saw the man was Banister.

Somebody told us Banister had pointed a gun at the bartender," said Badeaux, and Banister quickly responded, "He's lying." Badeaux then began taking statements from the witnesses, as other officers began converging on the scene.

Markey turned over Banister's .357 Magnum, removed from a hip holster, to Maj. Joseph Guillot, night police supervisor, who arrived along with Capt. P. J. Troscclair, commanding officer of the First District.

Pushed Two Men, Report
 In their bulletin, police reported witnesses as saying that Banister provoked the incident by pushing two men, after he had gotten change to make a telephone call, and as he was walking to the phone.

Bartender Benjamin Murray, Continued on Page 3, Column 4

Continued from Page 1
 30, 2616 St. Ann, said the man boasted he had killed two men already, and another wouldn't make any difference, as Murray tried to placate him, according to the bulletin.

The man allegedly reached across the bar, seized Murray by the jacket, and cursed him. Moments later, another customer reportedly shouted "Look out, he has a gun." Murray was quoted as saying the man had an object in his hand.

On Saturday, however, Badeaux reported Murray had said,

Banister drew a knife, and not a gun, and evidently was uncertain what the assistant police chief had done. Other witnesses, said Badeaux, appeared equally uncertain.

With Two Friends
 Asked Saturday if he had drawn a gun, Banister said, "Good God, no. I wouldn't do a thing like that." Asked if he had a fracas with anyone in the bar, he responded, "absolutely not." Banister reported he had one cocktail before lunch, but could not remember if he had taken a drink that had been ordered in the bar. He was accompanied in the bar, he said, by two friends, Frank Battle and Charles Short, both Chicago attorneys.

In a statement Saturday night, Banister said:

"I deny all charges and accusations made against me.

"I had two reputable citizens from Chicago with me and they have submitted signed statements to be included in Capt. Troscclair's report. There are other citizens who have stepped forward to make similar statements.

"We had been on a tour of the French Quarter and one of them (Chicagoans) wanted to stop there and get a drink and I introduced them to some people sitting there and I started back to the telephone.

Went to Phone
 "One of the men from Chicago started back with me and on the way he stopped to talk with somebody. I went to the phone.

"The only time I reached across the bar was to give the bartender money for change. I had no dispute or altercation of any kind with any persons. I did not put my hands on any person. No person put their hands on me.

"I was preparing to use the telephone and to do so I turned my back on everyone in the room. I would have been very foolish to turn my back on anyone if I had any kind of a squabble.

"I was standing with my back to the people in the room when the two officers came in. I didn't see them until they walked up to

Police Department
 New Orleans,
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me. One caught me on my arm and turned me around. I recognized him as Ptn. Markey.

'No Commotion'

"He ran his hand under my coat and took my gun out of my holster. I had never drawn my gun.

"Since he was a police officer I made no objection. Since there was a crowd in the place I knew that someone might get hurt if anyone lost his head.

"Sgt. Badeaux stepped in about that time—he said let's go outside. There was no commotion. I didn't tear anyone's jacket or anything else. No one ever put their hands on me until the two officers came.

"I don't go any place without witnesses. The work I do here has made me a lot of enemies among the criminal element. I don't take any chances. There have been several attempts in the past to discredit me, one as late as last month.

'Terrific Pressure'

"I've had to watch my step. This was a pretty fast one last night. They took advantage of an opportunity. I haven't found out who is at the bottom of it yet.

"There has been terrific pressure on the police department because of the federal grand jury investigation into police graft."

Banister would not elaborate on the incident he said occurred last month other than to say it was designed to "create an embarrassing situation," and happened somewhere uptown.

The assistant police superintendent's wife reported Saturday she had received an endless succession of telephone calls from Banister's friends, many of whom had regarded the incident as a "frameup."

Both the Chicago attorneys who were with Banister in the bar supported his story.

"It's just plain ridiculous," said Battle.

They said they entered the bar with Banister about 7 p. m., that Short ordered a seltzer and Battle a drink.

'No Disturbance,' Says Two

"Mr. Banister excused himself to make a telephone call," Battle said. "He said he wanted to phone his wife, Mary, and let her know where he was.

"The next thing I knew there were two cops searching Mr. Banister. He offered no resistance.

"If there had been a disturbance we would have known

about it. We were that close to him. But there just wasn't any, none at all. I've never been so surprised in my life about the things I've read. They just aren't true."

The bartender, Murray, told reporters he did not know who Banister was. "I treated him like any stumblebum who comes



GUY BANISTER

in here trying to make trouble," he commented. "We run a respectable place, and we couldn't have anything like that going on."

According to Capt. Troscclair, Murray had been advised by his attorney not to make a written statement. Murray said he did not intend to file charges against Banister.

In the original police bulletin, two persons were quoted as saying Banister drew a gun. They were bar manager Lawrence Nuhoberac and George Johnson, 30, 6959 Gen. Haig.

'Grabbed by Coat'

Miss Lucy Iglesias, 616 Ursulines, a customer in the bar, said, "All of a sudden I turned and saw this man (Banister) grabbing the bartender.

"Then I heard this Johnson yell 'He's got a gun' and Johnson ran over to the man and grabbed him by the coat and shook him back and forth," she said.

"Someone must have called police because then they came in and took the gun away from him. I saw that, but I didn't see whether he actually took the gun out of the holster."

While declining to comment directly on the significance of his investigation into the incident, Supt. Dayries issued the following statement:

"I would like to say that I was sitting at home when I first heard about the incident. That was from Maj. Joseph Guillot, night supervisor, about 9 p. m.

"After he informed me that Capt. Troscclair was gathering statements, I told him to complete the statements and have them on my desk by the morning.

"I have ordered Mr. Maurice Lonergan, agent for the police bureau of investigation, to come to my office to go over these reports, so as to determine what additional information might be needed, and in order that I might get a full evaluation of what actually occurred last night."

When a reporter noted that Banister had not been wearing his gun when he appeared at headquarters early Saturday to go to his office, Dayries observed that many police officers did not carry guns.

"Then there are some people who always carry guns," he said. "They are gun-happy. I believe that he who lives by the sword perishes by the sword. That's why I don't carry a gun."

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Mr. Holloman	_____
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BANISTER

DISARMING

IN BAR

PROBED

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Dayries Orders Full PBI Report

Police Supt. Provosty A. Dayries today ordered a full departmental investigation into the disarming of assistant Supt. Guy Banister after he allegedly manhandled and drew his pistol on a bartender in a French Quarter barroom last night.

Dayries said he directed Maurice Lohrgan, agent for the police bureau of investigation, to handle the investigation and submit a "full report."

Frisked in Bar
Lohrgan will take over the probe from First District police who launched the investigation after two officers and a private patrolman frisked Banister and freed him out of the Old Absinthe House at Bourbon and Bienville about 7 p. m.

No action will be taken against Banister until Dayries studies the PBI report, the superintendent said.

Denied by Banister
Banister denied all the accusations.

Two witnesses told police they saw Banister draw a gun on bartender Benjamin Murray, 30, 2616 St. Ann, shortly after Banister and two Chicago attorneys entered the bar.

Murray said Banister grabbed him by his jacket, ripped off a button and tried to pull him across the bar.

One witness, George Johnson, 30, 6959 Gen. Haeg, a patron shouted to Murray, who said he heard Johnson yell, "Look out, he's got a gun."

Police said Murray claims he saw a gun in Banister's hand.

Johnson pulled Banister away while someone called police, officers quoted witnesses.

Says Gun in Hand

Another witness, Lawrence M. ... 42, 4228 Frenchmen, the bar manager, told police he saw a gun in the hand of the

man identified as Banister.

Ptn. Louis Markey, who was patrolling Bourbon, and private Ptn. Vincent Provenzano rushed into the bar. A few seconds later, Sgt. Hubert Badaeux, who

See BANISTER - Page 2

Banister

was waiting for Banister across the street, followed the officers into the bar.

Markey, who did not recognize Banister, said he and Badaeux searched Banister, and with the help of Provenzano escorted Banister to the street.

Markey said the entire bar, which was crowded with about 75 persons, was in a commotion.

Badaeux said Banister, his former boss as head of the police bureau of investigation, tried to resist their efforts in disarming him.

"I told him, 'Chief, hold on, now. I'm senior officer right now. Come outside and come quietly,'" Badaeux said.

Both Badaeux and Markey said Banister's pistol was in his shoulder holster when they frisked him.

But Murray told Capt. Presley Trosclair, who began the investigation into the incident, that Banister withdrew the gun.

"He (Murray) didn't say the gun was pointed at anyone," said Trosclair. "He just said Banister drew the gun."

Trosclair said he has "no opinions about the case until I complete my investigation."

Bar manager Muhoberac said: "I treated him like any stumblebum who comes in here trying to make trouble. We run a respectable place and we couldn't have anything like that going on," the bartender added.

Murray told Trosclair Banister entered the bar and asked for change to use the telephone.

He said Banister pushed some patrons who were standing near the phone and shouted to the bartender to "come over here."

According to police, Murray cautioned Banister to quiet down, but he said Banister grabbed him by his jacket and started pulling him when Johnson intervened.

Refuse Statements

Murray and other witnesses refused to make written statements, but Murray told police

"the man was kind of drunk." Police received conflicting statements about Banister's condition.

Badaeux said he saw Banister after the incident and he appeared "very sober." Banister, himself, told reporters he had had one cocktail.

Miss Lucy Iglesias, 616 Ursulines, was seated between Johnson, the patron, and Banister and the two attorneys.

She said "all of a sudden I turned and saw this man (Banister) grabbing the bartender."

"Grabbed by Coat"

"Then I heard this Johnson yell he's got a gun and Johnson ran over to the man and grabbed him by the coat and shook him back and forth.

"Someone must have called police because then they came in and took the gun away from him. I saw that, but I didn't see whether or not he actually took the gun out of the holster."

"He was very belligerent and was quite angry with everybody."

Trosclair said there apparently was "some sort of disturbance involving a man and the bartender."

Asked if he meant Banister, Trosclair nodded.

Murray's coat was taken by Trosclair to the First District station for evidence. One of the buttons is missing and Trosclair said he picked up the missing button on the floor where the incident occurred.

To Meet Attorneys

Banister, Badaeux and the two attorneys, Frank Battle and Charles Short, left the bar and had dinner at a restaurant nearby.

The attorneys cancelled an early morning flight to Chicago to attend a conference with Banister and Lt. Trosclair.

They said Banister did not create any disturbance in the bar and denied he drew his gun.

Banister talked with the attorneys at his office at police headquarters this morning, then left the building.

Dayries said he did not know when he would receive reports on the police investigation. They may not be made today, he added.

The district captain said Murray was advised by his attorney not to make a written statement.

According to Trosclair and other officers, Murray said he did not intend to file charges against Banister.

Banister has been a controversial figure in the department since he was hired to investigate

police corruption early in 1955.

He took up the police probe as head of the police bureau of investigation when the Special Citizens Investigating Committee submitted its final, lengthy report on police graft and corruption.

Names Scores

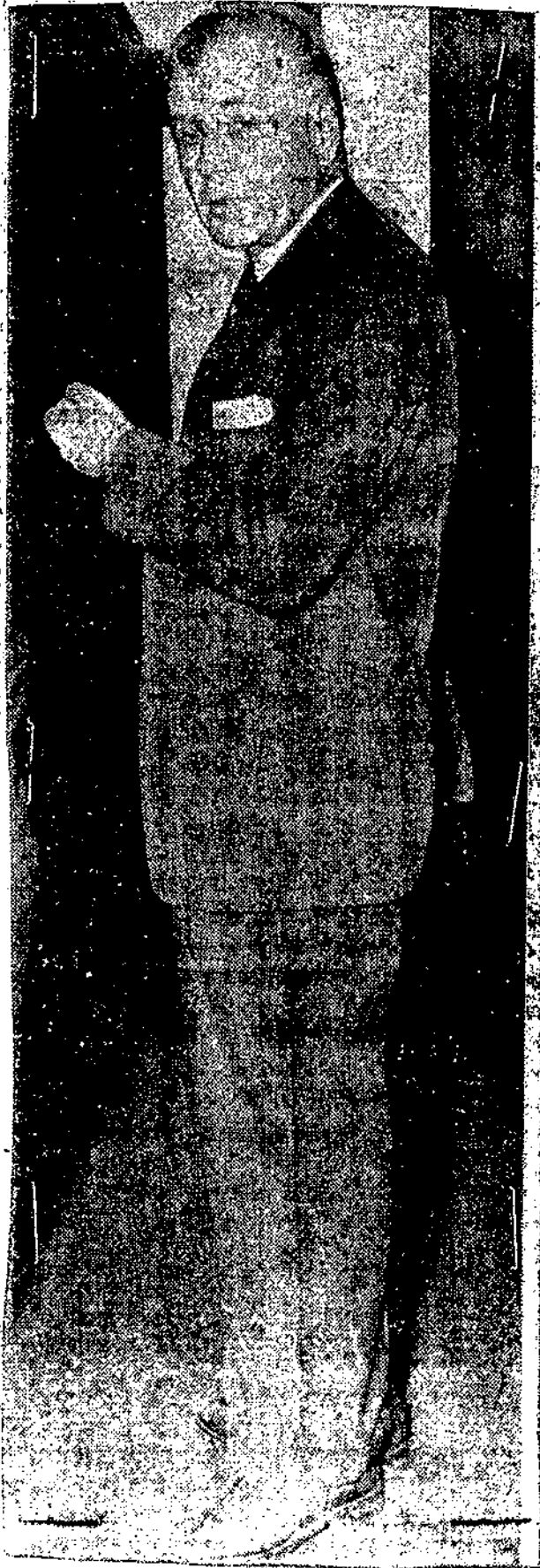
In succeeding months, Banister submitted a report to the city council naming scores of officers he said were involved in a department-wide system of graft.

He was criticized by Dayries for making the report public without the approval of the superintendent.

Later he was reprimanded by Dayries for suspending traffic supervisor Maj. Joseph DePaoli, now retired.

Then, in June, the police probe was ended by direction of Mayor Chep Morrison and Dayries.

And recently, Banister was the subject of criticism for releasing a prisoner he said was being held in violation of his civil rights.



GUY BANISTER stands outside his office at police headquarters this morning while awaiting the next move in an investigation of accusations that he had an altercation in a French Quarter bar last night, took out his pistol and manhandled a ~~tax-~~ ~~tender.~~

- Mr. Tolson _____
- Mr. Nichols _____
- Mr. Boardman _____
- Mr. Belmont _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Trotter _____
- Mr. Nease _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

Lawyers Cancel Home Flight to Aid Banister

Chicago attorneys Frank Battle and Charles Short, who accompanied assistant police Supt. Guy Banister to the Old Absinthe House bar in the French Quarter when Banister became involved in an alleged disturbance, canceled their flight back home to defend the police official today.

"It's just plain ridiculous," said Battle, referring to accounts of bartenders and witnesses who accused Banister of drawing his pistol on the bartender.

Went to Phone Wife
Battle and Short said they entered the bar with Banister about 7 p. m.

"I ordered a drink and Mr. Short ordered a seltzer," Battle related. "Mr. Banister excused himself to make a telephone call. He said he wanted to phone his wife, Mary, and let her know where he was."

The next thing I knew there were two cops searching Mr.

Banister. He offered not resistance.

'Just Arou't True'
"If there had been a disturbance, we would have known about it, we were that close to him. But there just wasn't any, none at all."

Battle said the barroom was fairly crowded but orderly and "rather quiet."

"I've never been so surprised in my life about the things I've read," he added. "They just aren't true."

Short said he concurred in Battle's remarks.



—New Orleans States Photo.
CHICAGO ATTORNEYS FRANK BATTLE, left, and CHARLES SHORT, who were with Guy Banister, assistant police superintendent, at the time he is accused of being in an altercation in a French Quarter bar last night, enter his office today. They said the accusations are ridiculous.

TOP CLIPPING
DATED 3-4-57
FROM New Orleans ITEM
SEARCHED FILE AND INITIALED

Police Department

NEW ORLEANS STATES
NEW ORLEANS, LA.
3/2/57
Page 3 Col 3 & 4
MAR 25 1957
MAR 22 1957

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MAR 1 1957	
FBI — NEW ORLEANS	

62-26617-A
NOT RECORDED
117 MAR 21 1957
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Wasn't Drinking, No Disturbance, Says Banister

Guy Banister, assistant superintendent of police, flatly denied today that he had been drinking or had caused a disturbance in a French Quarter bar.

He was questioned at his home, 6161 Canal boulevard, at 10 a. m. by Capt. P. J. Troscclair, commanding officer of the First District police station, and a reporter for the New Orleans States.

Asked if he had drawn a gun and threatened anyone in the bar, Banister answered:

(Another story and picture on Page 3.)

"Good God, no. I certainly wouldn't do a thing like that."

Asked if had pushed on anyone in the place, or scuffled with anyone, he answered: "Absolutely not!"

Asked if he had been drinking, Banister said he had one cocktail before lunch. He said he could not remember if he had consumed any of a drink which had been ordered in the bar.

Asked if he had roughed up the bartender in the place, tearing two buttons from the man's jacket, he answered: "Certainly not."

Statement Later

"I'll have a statement later, giving my full analysis of the incident," he commented.

Capt. Troscclair said he was ordered by Supl. Dayries to make a complete investigation of the matter.

Here is Banister's story of the events leading to the incident:

"Two friends of mine are in town, from Chicago, Frank Battle and Charles Short. They are both lawyers with the Banisters' Life Insurance Company.

Ex-FBI Man

"Battle is an ex-FBI agent

time.
"I'll make an analysis of the entire matter, and I'll have plenty to say."

in charge, and an older one.
See INTERVIEW—Page 2

Interview—

friend of mine. We met for lunch at Antoine's. I had a cocktail for lunch—the only drink I had all day.

"After lunch we went for a drive in the country. I had some business to attend to over in St. Bernard, and it gave me an opportunity to show off the scenery to my friends.

"We returned at about 6 p. m. and I took my two friends on a walking tour of Royal and Bourbon streets.

"We stopped off at the Ab-sinthé House. It must have been shortly before 7 o'clock. Frank ordered a round of drinks. I looked at my watch, and realized it was getting late, and I remembered I had to call my wife.

Dialing My Wife

"I don't believe I even tasted my drink. I got change and walked straight to the telephone. I was dialing my wife, when suddenly I felt someone patting me.

"I looked around and saw it was Ptn. Markey. He reached inside my coat and removed my revolver from the holster. Then I saw the private policeman, Vincent Provenzano.

"Before I had chance to ask them what it was all about, Sgt. Hubert Badeaux stepped in between the two men and myself. Sgt. Badeaux had come by to remind us that our table at Arnaud's was ready.

"That's about it. The four of us went to Arnaud's and ate.

"I have no idea what this is all about. I'll be at my office at police headquarters at 9 o'clock this morning with my friends from Chicago, and I'll give a full statement at that

Police Department - New Orleans Louisiana

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- Mr. Nease _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

J. J. Rogers

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71 MAR 10 1957

*File
J. J. Rogers
3/2/57*

BANISTER FIRING 'RUMOR'--MAYOR

Replies to Crime Group on 'Persistent Reports'

Mayor deLesseps S. Morrison Friday described as "rumor" the "persistent and repeated reports" that assistant police Supt. W. Guy Banister will be fired that the Metropolitan Crime Commission has advised him that it has received.

"Appointments are made by Chief (Police Supt. Provosty A.) Dayries—key appointments—and they are universally discussed with me and he has not discussed any such matter with me," Mayor Morrison said when questioned about a letter on the subject which had been written to him by William J. Guste Jr., crime commission president.

"I make no comment on rumors. Such rumors are calculated to create conflict. Chief Dayries has never made any statements about firing anybody."

Request on Probe
Morrison said that he was answering Guste's query about Banister's status and another letter from Guste asking him to rescind his order terminating the "investigation of organized graft in the police department" and to instruct Banister "to make a report to the citizens of New Orleans on the status of the investigation at the time you ordered it terminated." This letter was addressed to both Morrison and Dayries.

Morrison said of Guste's letters that: "I'll answer them, but I don't want to comment on them."

Asked if he would make his answers public, Morrison replied: "No, I will not. The crime commission can make them public if they wish. I don't write letters through the newspapers."

Meanwhile, Supt. Dayries also declined to comment on reports that Banister would be dismissed.

Heard Rumor—Banister
Asked if he had heard the report that he would be dismissed as assistant superintendent, Banister said:

"I've heard the rumor."
In his letter regarding Banister's status, Guste wrote Morrison that:

"The Metropolitan Crime Commission has been receiving persistent and repeated reports to the effect that assistant superintendent of police Guy Banister is to be discharged from the police department in the near future.

"We believe that you agree that our community already is considerably confused about the status of the police department. We believe that the citizens are entitled to your public statement of reassurance that the alleged plot to discharge Mr. Banister is false."

In the other letter pertaining to the status of the probe of the police department, Guste referred to a letter which he had written Morrison on June 30 in which he made the same requests.

'Obligated to Respond'
"Since we have not yet received any reply to our letter, the executive committee of the crime commission wishes to impress upon you the importance of responding to our communication," Guste wrote. "As public servants, we believe you to be obligated to respond to the sincere requests of citizens who are concerned with the welfare of their community.

"We shall therefore appreciate your early advice as to your intentions relating to the two courses of action we have requested for the successful achievement of the purposes of the police probe."

Friday Dr. J. D. Grey, pastor of the First Baptist church and chairman of a special citizens' group which has interested itself in the police probe, urged citizens to write Morrison demanding that the independent investigation of the police department continue.

"The mayor's promise of a 'free hand' for Mr. Banister repeatedly has been breached," Dr. Grey charged. "Now, although necessary improvements in the police department have been made, the investigation has been terminated by the mayor. This has been arbitrary."

Mr. Tolson	
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Mr. Holloman	
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New Orleans Police Dept.
Police Dept.
W. J. Guste, Jr.

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167-26617
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50 AUG 6 1956

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No Discussion On Banister Firing--Mayor

Mayor Chep Morrison says he has not discussed with police Supt. Provosty A. Dayrie the possibility that assistant Supt. Guy Banister will be fired.

The mayor said reports that Banister will be discharged are "rumors . . . calculated to create conflict."

The mayor's statement was in reply to a letter from the Metropolitan New Orleans Crime Commission, which wrote:

"We believe that you (the mayor) agree that our community already is considerably confused about the status of the police department. We believe that the citizens are entitled to your public statement that the alleged plot to discharge Mr. Banister is false."

No Comment on Rumors

The mayor answered: "I make no comment on rumors. Such rumors are calculated to create conflict. Chief Dayrie has never made any statements about firing anybody."

"Appointments are made by Chief Dayrie—key appointments—and they are usually discussed with me and he has not discussed any such matter with me."

Dayrie would not comment on the reports, but Banister said he had "heard the rumor."

Morrison said he would answer the crime commission's letter and another letter from it demanding that he rescind the order terminating the long investigation into alleged police corruption.

Obligated to Respond

William J. Guste Jr., crime commission president, had written the mayor urging continuation of the probe.

A subsequent letter from Guste stated:

"As public servants, we believe you to be obligated to respond to the sincere requests (to continue the probe) of citizens who are concerned with the welfare of their community."

Morrison said he will not make his reply to the crime commission public.

"The crime commission can make them public if they wish. I don't write letters through the newspapers," he said.

Meanwhile, Dr. J. D. Grey, pastor of the First Baptist church and chairman of a special citizens' group, has urged citizens to write Mayor Morrison demanding a resumption of the police investigation.

Mr. Tolson	
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BANISTER CHIEF, CHIEF

Police Department New Orleans

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Won't Confirm Or Deny Story

Mayor (Chep) Morrison and Police Supt. Dayries today refused to confirm or deny reports that Asst. Police Supt. Banister may be fired.

The reports were called to the attention of the mayor in a letter sent him by the Metropolitan Crime Commission.

The letter, signed by MCC President William J. Guste, Jr., said that the commission had received "persistent and repeated reports to the effect that Asst. Supt. of Police Guy Banister is to be discharged from the Police Dept. in the near future."

WHEN ASKED BY reporters if the reports were true, Morrison answered:

"Supt. Dayries, as head of the Police Dept., makes the appointments. And he universally consults with me on all key appointments and issues. He has not consulted with me concerning any firing of Mr. Banister. In fact, he has not made any statements that not intends to fire anybody."

Dayries, when asked for comment, said:

"This is the first I've heard (See MAYOR, Pg. 6, Col. 7)

Mayor

(CONTINUED FROM PAGE 1)

about it. The letter was addressed to the mayor, I understand. I have not seen it, and I know nothing about it and will not comment on any letter addressed to the mayor."

DAYRIES WAS THEN asked by reporters:

"Are you going to fire Banister?"

He answered:

"Please don't ask me that question. It is based on the letter, and I don't want to comment on any letters sent to the mayor."

Morrison refused to make further comment on the question, although pressed by reporters.

Can we say then that Mr. Banister will not be fired? he was asked.

"I will not comment on that," he answered. "That is a rumor. Are you people printing rumors nowadays?"

"We print reports," a reporter answered. "We don't print rumors."

"What's the difference?" asked the mayor.

"A rumor," explained the reporter, "is something that somebody makes up. But a report is something learned by a source which cannot be disclosed. These reports were given to the Metropolitan Crime Commission."

"I see no difference," said the

mayor.

"BUT WILL YOU say that these reports are not true?" he was asked.

"Such reports are calculated to cause conflict within the department," he answered. "And I won't comment on them."

And a reporter began to ask a question:

"Well, then, do you think that Mr. Banister will still be useful as Assistant Supt. of . . . ?"

But Mayor Morrison interrupted:

"Look, I'm not going to comment on this . . ."

And he repeated his previous statement about Supt. Dayries.

The letter to the mayor, telling of the reports said:

"The Metropolitan Crime Commission has been receiving persistent and repeated reports to the effect that Asst. Superintendent of Police Guy Banister is to be discharged from the Police Dept. in the near future."

"We believe that you agree that our community already is considerably confused about the status of the Police Dept."

"We believe that the citizens are entitled to your public statement of reassurance that the alleged plan to discharge Mr. Banister is false."

Banister, on July 1, was stripped of his powers as head of the Police Bureau of Investigation by Supt. Dayries.

He had charge of the PBI during its investigation of police graft. That probe was ordered closed by Mayor Morrison on June 27.

In a separate letter from the crime commission, the mayor and Dayries were asked today why they had not answered an MCC letter dated June 30 in which they were requested to rescind the order closing the probe.

IN THE JUNE 30 letter, the mayor and Dayries also were asked to instruct Banister to report "to the citizens of New Orleans on the status of his investigation at the time you ordered it (the investigation) terminated."

The MCC said:

"As public servants, we believe you to be obligated to respond to the sincere requests of citizens who are concerned with the welfare of the community."

Judge Rules Police Files

Secret

- Mr. Tolson _____
- Mr. Nichols _____
- Mr. Boardman _____
- Mr. Belmont _____
- Mr. Mason _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
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Leggett file
J. R. [unclear] 81

Civil District Judge Chazez today dismissed the suit brought by three newsmen to make public the records in the police graft investigation.

In his ruling, the judge said the suit was dismissed on all matters referred to with the exception of the "Hill and Reuther cases."

(Former police Lt. Louis Hill and Sgt. Clifford Reuther were tried in Criminal Court on public bribery charges and were acquitted.)

Judge Chazez ruled the material used in their case was public record since it had been finally disposed of in a criminal procedure.

The judge pointed out that great harm to individuals could be done by publication of police records.

He noted that Dist. Atty. Hubert did not close any records. He said that until such material had been produced in open court — or a criminal charge finally disposed of — the records were exempt from public scrutiny under the Public Records Act.

Both sides in the case rested their case just before noon. The judge recessed, then handed down his ruling from the bench.

Earlier, Asst. Police Supt. Banister had testified he had never recommended that the graft investigation be closed, was out of town when it was ordered closed, and learned of the order only through the newspapers.

Banister made these other points:

Some 230 individual cases were prepared by the Police Bureau of Investigation in connection with investigation of an organized graft system in the Police Dept. *NEW ORLEANS, LA.*

In addition, 12 pending inactive cases, involving members of the Police Dept. who are now dead, were prepared by the FBI.

Besides these 242 cases, the FBI prepared 32 other active cases involving personnel on other charges, as of June 30.

All FBI reports were forwarded to the district attorney and were available to Supt. Dayries during the FBI investigation, conducted under Banister from Jan. 15, 1955, to June 30, 1956.

Eighteen FBI reports presented by Banister to the DA on Tuesday covered old material in the case files, and were not presented earlier "for a reason."

(See SUIT, Pg. 3, Col. 2)

Suit

(CONTINUED FROM PAGE 1)

There is "a terrific leakage" of information in the Criminal Courts Bldg. leakage which hampered the investigation.

He was not "even in the city" when the police probe was declared closed by Mayor Morrison, Dayries and Dist. Atty. Hubert.

BANISTER ALSO SAID he was ordered by Dayries to read the press statements of Morrison, Hubert and Dayries on closing of the probe.

Asked today by attorney Robert Leake, as the second day in the court suit began, if those statements were made on his recommendation the probe be closed, Banister answered:

"They were not, sir."
He also testified that the files of the FBI were not completely finished and processed, despite such a statement by Morrison on June 27.

WHEN ASKED if it was his view that the files are now

closed, he said:

Investigatively, the case files are closed. There are a large number of closed cases. The cases are closed administratively by order of the superintendent.

He further testified that no reason was given him by Dayries for his transfer as head of the FBI.

Dayries did not state any reason for transferring me. He just transferred me," he said.

He said the last recommendation to Dayries — all previous ones having been in writing —

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NOT RECORDED
117 JUL 26 1956



DA HUBERT, ASST. SUPT. BANISTER
on hand at trial



COL. DAYRIES, LUTHER HALL, JR., RAOUL SERE
police superintendent and attorneys



RALPH KASKELL AND ROBERT LEAKE
newsmen's attorneys

was made April 26, "but was not given to him in writing by his order. It was discussed with him."

BANISTER SPECIFIED that the 230 files represent 230 individual names of persons involved in a system of organized graft and corruption.

Asked if, when these files were closed by the termination of the probe, he had received orders to that effect in writing, he replied:

"No, I asked for it in writing, but was not given it."

He was then asked how he had received the order and answered:

"I was ordered to read the newspapers."

Also, he was asked if Mayor Morrison had examined the files and replied:

"I do not know that the mayor has examined them."

HE THEN WAS ASKED if reports were sent to the mayor and he said that he did not believe they were routed to him.

Q—"Do you know whether prior to June 30, 1956, the files were examined with a view to closing them?"

A—"I do not know."

When asked if he would know whether they had been so examined, he replied that he would.

Again asked if he was ever requested to produce the files for the mayor, he said that he was not, and as far as his knowledge went, neither had anyone else been asked.

BOTH SIDES ENDED their cases about 11:30 a. m.

Leake, on behalf of the newsmen, demanded that Dayries produce in court the 242 police graft files in question, so they could be examined by the court with the assistance of Banister and the district attorney, to determine which of them actually are being held in connection with investigation or with criminal prosecution.

Judge Chazex then recessed and invited the attorneys into his chambers for a conference.

Just before the closing of the arguments, Banister was recalled to the stand and testified that of the 230 case files relating to the graft probe (plus 12 relating to deceased policemen) some were being held open for administrative action until the time the probe was ended.

Asked by Leake if any were being held open with respect to criminal charges, he answered:

"Some of them were."

However, he said the files could be separated into two categories. That is, those that were being held open with respect to criminal charges, and those that weren't.

Leake also offered in evidence an excerpt from the minutes of City Council on June 28, which showed council approval of the action of the mayor and the superintendent in closing the probe.

Banister was not questioned by Sere when he was recalled. Yesterday, the suit brought by three It & M newsmen—George

Chaplin, editor; Henri Wolbrette, II, managing editor, and William Reed, reporter, began in Judge Chase's section of Civil District Court.

THE SUIT calls for Dayries and Banister to open the records for examination under the state public records act. It was filed Friday, after Supt. Dayries refused the three newsmen access to the records.

Dayries contended the cases were still "pending" even though the police investigation had been declared officially closed by Mayor Morrison on July 27.

Dayries and District Attorney Hubert also made statements on that date saying all matter had been completely processed and no further action in the investigation was indicated.

Highlights in yesterday's court action included:

¶ Dismissal of the suit against Banister because he does not have custody of the records.

¶ Overruling of an attempt by the city to have the case thrown out because of "no cause of action" by the newsmen.

¶ An offer by Attorney Leake, acting for Chaplin, Wolbrette and Reed, to dismiss their case if it can be shown an investigation is still going on or that the case files are being held in evidence for prosecution of criminal charges.

¶ Admission by Dayries that he doesn't know how many files are involved; that he has not examined the material in the files; that he has not received any reports from Banister on them; that he doesn't know how many are "closed"; and that he only has a "vague" knowledge about the files.

¶ Overruling of a suggestion by Assistant City Attorney Raoul Sere to have Dayries clarify his testimony in chambers (not in open court).

¶ Statement by Hubert that only "some" of the files are connected with pending criminal cases and that others have "no bearing at all" and that the files can be "separated."

¶ Testimony from Hubert that 18 FBI reports—running from 15 to 20 pages each—had been delivered to him Tuesday by Banister. (It is not known if these were "old" or "new" reports.)

¶ Statement by John Lanne, special investigator for the FBI, that there are 213 case

files involved in the police graft investigation with only about one-half of them concerned with pending criminal cases.

¶ Testimony by Lanne that files not related to pending cases include: names of police officers found on lists discovered in the home of lottery figure Lionel Dominguez; statements by police officers named; related information on officers from report of Special Citizens Investigating Committee; copy of financial statements of net worth of officers; copy of Federal income tax returns from 1948 to present time for each officer; plus additional information.

¶ Testimony by Lanne that Banister considers the case files "closed," but other high ranking police officers do not.

¶ Further testimony by Lanne that since July 1—when the graft probe closed—the FBI "hasn't been doing much of anything."

YESTERDAY'S SESSION began with Sere, representing Dayries, claiming the newsmen had "no cause of action" because they had not stated in their suit that the case files had been used in open court or that criminal charges in which the records were concerned had been finally disposed of.

Sere took the position that the records could only be made public if they had been used in open court or as evidence in a criminal case which had been settled.

He based his claim on an interpretation of the state public records act.

The section in question states the act "does not apply to public records where they are being held by any sheriff, district attorney, police officer, investigator, or investigating agency of the state as evidence in the investigation or prosecution of a criminal charge, until after the public records have been used in open court or the criminal charge has finally been disposed of..."

HOWEVER, attorney Leake argued that top public officials have said "there are no criminal charges and the police investigation is finished."

He conceded the plaintiffs did not wish to examine the records involved in any pending criminal cases.

Leake contended that since Mayor Morrison, on June 27, had stated "all pending items in the police investigation

have been completely processed and finished" and Hubert had stated no further action is indicated by his office, and Dayries stated the investigation is over, that the case files are not being held as evidence in an investigation or for prosecution of criminal charges.

Judge Chaisez overruled Sere's exception there was "no cause of action" to bring the suit.

Sere then said he would show by testimony "the majority of the records are directly concerned in cases pending in criminal court."

He added that other records are "live" records and that "while the investigation is not proceeding at the same speed as before, these cases are open."

UNDER QUESTIONING by Sere, Dayries testified the records of the investigation into bribery and corruption in the police department are being held for "possible future prosecution of criminal charges."

He went on to state he had issued a memo to the FBI on July 9 (three days after filing of the suit) instructing the FBI not to ignore any new information and to refer any new evidence to him.

Dayries said the files are not closed "as far as I'm concerned", adding most of them are related to pending criminal cases.

He went on to state there is a "great deal of connection" between material in the files with evidence which will be used in the criminal cases now pending against former police Captains Aaron Harris, Mateo Azerna, Adolph Mayerhafer and Edwin Shisa.

In answer to how many records have been introduced in open court, Dayries answered: "None."

Leake then began cross examination of Dayries.

The examination—the text of which begins on Page 1—brought out that Dayries was not familiar with the contents of the 200 files, said he had not studied them, and all he knew about them was what Asst. Supt. Banister had told him or what he had heard.

Further, he insisted, that although Mayor Morrison had closed the probe officially on July 1, he still considered the files open because new evidence might be obtained.

DISTRICT ATTORNEY HUBERT took the stand.

Under questioning by Sere,

Hubert said there are cases now pending against four police officers which were based on evidence secured by the FBI.

However, when Sere asked if he could say "all, or a great majority of the files, would have some bearing on the proof of these four cases, Hubert answered:

"I can't make that statement. I only know about the cases turned over to me. About 200 FBI reports have been turned over to me. Some of them bear on the four cases. Others have no bearing at all."

ASKED IF ANY of the records had been used in open court, Hubert said he believed some of them had, mentioning the cases of Lt. Louis Hill and Clifton Reuther.

He went on to state that the Hill-Reuther cases have been finally disposed of, adding: "I don't know about the others, except those on which prescription has run."

Under cross-examination by Leake, Hubert went on to say he assumed Banister had given him all records and that such records had been turned over to the Grand Jury.

He then declared he would be able to separate the files which have nothing to do with the four pending indictments.

He said he saw no reason for secrecy in those files which did not indicate any criminal action or those files which have prescribed.

Hubert said his statement concerning the police investigation was made "independently" from the Mayor's and Dayries, that his was not a collateral statement, and "mine was a factual statement."

He said his office was taking no further action now, adding:

"I did not O.K. closing the probe. My statement speaks for itself."

He then disclosed that Banister had referred 18 reports to him the day before (Tuesday), but said he had not had time to read them since most of them ran 15 to 20 pages in length.

Asked if the case file on former Supt. Joseph Scheuering had been disposed of, Hubert answered: "Yes."

In answer to a question by Sere if future criminal charges could be supported by FBI case files on police graft, Hubert said they could "depending on whether the statute of limitations has run, and whether new evidence is found and whether the grand jury wants to open them."

Some of the cases have prescribed, he said.

He told Sere it was "a matter of public knowledge" that the Orleans Parish grand jury has not returned any "no-true" bills.

* * *

PBI SPECIAL investigator John Lanne took the stand.

He testified he was familiar with the PBI files "but not as familiar as Mr. Banister."

Lanne said he did not know of any cases concerned in the organized system of public bribery which have been disposed of in open court.

He then went on to say some of the files would have a bearing on pending cases, adding there are 213 cases "pending in the inactive files of which not more than 100 cases would have no bearing on the pending criminal cases."

Further testimony disclosed the largest percentage of the files were developed from material seized in the Dominguez raid.

Lanne went on to outline what some of the case files contain—such as financial statements, income tax returns, statements from police officers, material from the SCIC files, etc.

"The significant thing about many of these files is they do not contain evidence about anyone else," he said.

Asked by Leake if it were true the files were not being held in evidence in a criminal

investigation, Lanne answered:

"There is a difference of opinion in the department about the files. One high-ranking officer takes the position they are closed, another takes the position they are not."

He later identified Banister as the officer who considered the files closed.

LANNE DECLARED he had not been investigating the files prior to the order issued by Dayries on July 9, adding after July 1 "the PBI didn't do much of anything."

Asked about 35 files with which he was very familiar, Lanne said some of them have a bearing on the four indictments, other don't. Only two have been closed, he said.

Police Dept. & Administration

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Nichols	<input checked="" type="checkbox"/>
Mr. Boardman	<input checked="" type="checkbox"/>
Mr. Belmont	<input checked="" type="checkbox"/>
Mr. Mason	<input checked="" type="checkbox"/>
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Mr. Winterrowd	<input checked="" type="checkbox"/>
Tele. Room	<input checked="" type="checkbox"/>
Mr. Holloman	<input checked="" type="checkbox"/>
Miss Gandy	<input checked="" type="checkbox"/>

Is The Job Really Done?

17649

The police graft probe has now come to an official "end." Mayor Morrison, with the backing of the Superintendent of Police, the District Attorney and the City Council, has declared it finished.

Finished?
Yes. But in what sense of the word?
Was the purpose of the inquiry accomplished?

Has the organized graft which—it is now officially admitted—existed in the Police Dept. for many years been entirely rooted out?
Have all the men who were responsible for this graft been removed from positions of command in the department?

Can the Mayor, the Superintendent of Police, the District Attorney and the City Council now assure the people of New Orleans that such a system will not recur?

We hope so—but we have doubts. Certainly, there has been a considerable tightening-up in police discipline since the former Superintendent of Police resigned and was replaced by Supt. Dayries.

And the thorough investigation of the graft system which Asst. Supt. of Police Banister has conducted must have had a strong effect on the moral tone within the department.

But some doubt still remains as to whether the Mayor and the Police Superintendent have gone far enough toward ridding the department of all those who promoted and permitted the

old graft system to operate. This doubt might never have arisen if the Mayor had not so often resisted the obvious necessity for action to clear up the police mess.

He began by denying that there could possibly be any organized payoff system in the department.

Then, in the face of all the Special Citizens' Investigating Committee's evidence, he staunchly defended the former Police Superintendent.

He carried on this defense even after it was shown that this Superintendent was personally involved in the legal maneuver to stop the SCIC probe.

When that Superintendent voluntarily resigned, the Mayor did seem for a while to have changed his attitude.

After naming a new Superintendent, he offered Ex-FBI Man Guy Banister a "free hand" to carry on where the SCIC left off.

But very shortly after Banister began to carry out his own investigation, the Mayor clamped the lid on him. Banister was ordered to clear all investigative findings and recommendations "through channels." It became evident that Banister was just too independent.

And, though Banister's findings were sufficient to convince Supt. Dayries that a graft system had existed, they have brought little action.

Obviously, if an organized payoff system existed, some high-ranking officers were responsible.

If it can be proved that they were personally involved in the system, then they should be tried and sentenced.

If this can't be proved, the department still has the right to dismiss them on the simple grounds that their failure to stop the graft was inexcusably poor administration.

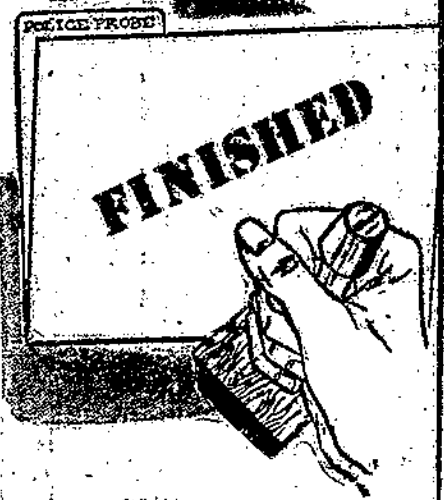
This is what Banister recommended should be done.

However, to date, nobody of captain rank has been dismissed except after criminal charges had been filed.

Officially the police probe now goes into the City Hall "finished business" file.

But the public is left with a sizeable "unanswered questions" file of its own.

*Full H.M.
8-1-6-1956
J.S. [Signature]*



We suspect that file is going to re-"open" for quite some time.

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JUN 23 1956	
FBI - NEW ORLEANS	

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6-13 JUL 26 1956

ORGE CHAPLIN, EDITOR
NEW ORLEANS ITEM
NEW ORLEANS, LA.

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PERS. FILES

Mr. Tolson	✓
Mr. Nichols	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mason	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

*Police Dept.
New Orleans, La.*

For Banister, A Clipping

One thing about Mayor Morrison and Police Supt. Dayries in their handling of the police inquiry—no one can accuse them of being subtle.

Wednesday, they shoved the inquiry into a dark closet and locked the door.

Then on Saturday, to make sure the door stays locked, they took the key away from Asst. Supt. Banister. (Technically, it was done by Dayries, but you can bet it was "cleared" with the Hall).

They stripped Banister of his power as head of the FBI—Police Bureau of Investigation—and made him an advisor to the superintendent. He will have no command authority, Dayries made clear.

In Banister, the department has a man with 20 years FBI experience.

He was "good" enough to direct the FBI's office in Chicago, the nation's second largest city. But apparently he's not "good" enough to be more than a powerless consultant in a department

which has been sadly lacking in expert administrators.

Strange, isn't it?

Just as strange is Supt. Dayries' effort to convince the public that the decision to end the graft inquiry really reflected Banister's views.

The fact is, Banister has been significantly silent since the Mayor and the Police Supt, with an assist from the District Attorney, issued statements closing out the investigation.

Banister has had one roadblock after another thrown in his way ever since it became clear he was taking his duty seriously.

Many of his recommendations—some of them made public, some not—have gotten the brushoff. And as far as public utterances are concerned, Banister has been officially gagged.

For many months his title of assistant superintendent has been pretty thin. It now verges on the absurd.

*W. J. ...
J. S. ...
K. S. - 1*

*File 4/LM ✓
New Orleans Police Dept.*

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NEW ORLEANS ITEM
NEW ORLEANS, LA.
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 Mr. Holloman ✓
 Miss Gandy ✓

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Rob
 J

Police Dept - New Orleans
 La.

Banister Stripped Of Powers As Head Of Cop Probe Bureau

D. W. G.
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file 4 / 2311
 New Orleans Police Dept

NEW ORLEANS, ITEM
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 page 3, Col. 4

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Reassigned To Advisory Post In Dept. Reshuffle

Asst. Police Supt. Banister Saturday was stripped of his powers as head of the Police Bureau of Investigation by Supt. Dayries.

This was the bureau which conducted the investigation into police graft, a probe which Mayor Morrison ordered ended Wednesday.

Dayries indicated that Banister's new job would be in a strictly advisory capacity.

"He will not have a command," he said.

Dayries announced the changes Saturday in a statement outlining a new table of organization for the Police Dept.

UNDER THE NEW SETUP Banister and Deputy Chief Albert Blancher will have "surveillance," but not supervision over various bureaus and departments within the Police Dept.

"Banister will have surveillance over operations," Dayries said, "and Blancher over administration."

When asked what he meant by surveillance, Dayries replied:

"They don't have a command. They will keep constant surveillance over the divisions assigned to them and report to me. They will be able to take action in my name, but only after consultation with me."

DAYRIES SAID that the PBI will no longer be staffed by police officers. It will be made up of the three civilians who were appointed by a civic committee. They will take action on com-

plaints only on Dayries orders, he said.

Dayries said Saturday the reason for taking Banister and his staff of police investigators off the PBI—and in fact, for ending the whole police investigation—was Banister's statement of May 16 that the probe into the graft problem "had gone about as far as it can go."

When asked by reporters if Banister actually could have meant by this that only the first phase of the investigation had ended, but that a second, more important phase was to follow, he replied:

"I wouldn't know about that. I was in Cincinnati when he made that statement."

HE WAS THEN ASKED if he had ever asked Banister what (See BANISTER, Pg. 3, Col. 4)



ASST. SUPT. BANISTER

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Banister

(CONTINUED FROM PAGE 1)

he meant by his statement.
"I refuse to comment on that," he said.

"But you do insist that Mr. Banister's statement is the reason for ending the police investigation?" he was asked.
"That is correct," he said.

Then
"Mayor Morrison and I concurred that since the investigation had gone about as far as it could go, and since the district attorney said that no further action was evident at this time, we should end it."

THE POLICE BUREAU of Investigation was created in April 19, 1954, by an ordinance of the City Council.

It was originally composed of three civilians named by a civic committee who were to look into complaints against the police department.

It was placed under the

leadership of Banister when he still was police secretary. He was appointed assistant superintendent of police about a year ago but remained the PBI head.

He had recommended the firing of a number of high-ranking officers as a result of this probe.

HERE IS Dayries' statement:
"A new organizational plan for the department will become effective July 1.

"This was occasioned by the closing of the overall investigations which were brought to an end this past week.

"Asst. Supt. Guy Banister, as my chief of staff, will be responsible to me for operations.

"Deputy Chief Albert P. Blancher, as my deputy chief of staff, will be responsible to me for administration.

"I have had this plan in mind since I became superintendent of police. It will give me tighter control of all bureaus, divisions, and districts and will provide an essential basis for a more efficient supervision by me of the entire department.

"I HAVE NOT been able to use Chief Banister before in his full capacity because of his heavy duties. Chief Banister stated on May 16 that his investigation of alleged police irregularities had gone about as far as it can go at this time."

"In view of this and an opinion by Mr. Leon D. Hubert, Jr., district attorney, that no further action was evident at this time by his office, Mayor Morrison and I decided that it was time to call a halt to the police probe.

"It is now my decision to remap the table of organization of the department and thereby make use of my senior staff officers.

THE DUTIES of Chiefs Banister and Blancher will be to keep a constant surveillance over the operational and administrative functions, respectively, of the department.

"This means that they will continuously make studies and evaluations of the various units under their surveillance and will keep me posted in this regard. The individual command of the various bureaus, districts and divisions will remain as they have been in the past.

"The above is in keeping with the provisions of the home rule charter of the city of New Orleans, which became effective May 1, 1954. This provides that the superintendent of police shall organize, administer, supervise and discipline the police force of the city."

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COP COMMAND SHIFTS MADE

Shuffle Sharply Reduces Powers of Banister

A reshuffling of the police department organization that leaves Assistant Superintendent Guy Banister with sharply reduced disciplinary and investigative powers was announced Saturday.

In announcing the reorganization, effective Sunday, Supt. Provosty A. Dayries said that the new plan emphasizes direct responsibility of his immediate subordinates to him.

Under the plan, Asst. Supt. Banister, who frequently in the past has not seen eye-to-eye with his superiors on matters pertaining to the department, will have a command function only over the police division of intelligence affairs.

Banister, asked for comment on his new assignment, said he has not been officially notified of his new duties.

"Until I am officially notified, I have nothing to say," he added. "I was just reading about it in the paper."

Banister previously had been in charge of the Police Bureau of Investigation, the police academy and the division of internal affairs, as well as the division of intelligence affairs. Banister, under the new plan, will be responsible to Dayries for districts, detective bureau, traffic bureau and juvenile bureau. His title remains the same.

Dayries Takes Over PBI

Under the reorganization plan, the PBI will be under the direct control of Supt. Dayries. Capt. Alfred Theriot, police information officer, said that under the new setup an investigation would be conducted by the PBI only under the direct orders of Dayries or Mayor deLesseps S. Morrison.

He added, however, that this would not prevent other officials in the department from taking disciplinary actions, subject to approval by the superintendent, where such were called for by immediate and obvious evidence at hand. He cited drunkenness on duty as an example.

Under the new organization, Banister will be responsible to the superintendent for operations, a function now held by deputy chief Albert P. Blancher, who also has responsibility for administration, a function he will retain.

Gives Tighter Control

Dayries said, "I have not been able to use chief Banister before in his full capacities because of his heavy duties." He added that the new plan "will give me tighter control of all bureaus, divisions and districts and will provide an essential basis for a more efficient supervision by me of the entire department."

Dayries quoted Banister as saying on May 16 that his investigation on alleged police irregularities had "gone about as far as it can go at this time."

Dayries commented, "In view of this, and an opinion by Mr. Leon D. Hubert Jr., district attorney, that no further action was evident at this time by his office, Mayor Morrison and I decided that it was time to call a halt to the police probe.

"It is now my decision to re-map the table of organization of the department and thereby

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- Mr. Mason _____
- Mr. Mohr _____
- Mr. Parsons _____
- Mr. Rosen _____
- Mr. Tamm _____
- Mr. Nease _____
- Mr. Winterrowd _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

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 J. S. [Signature]

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 NEW ORLEANS STATES"
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55 JUL 18 1956

DAYRIES SHIFTS POLICE OFFICERS

Continued from Page 1

make use of my senior staff officers. The duties of chiefs Banister and Blancher will be to keep a constant surveillance over the operational and administrative functions; respectively, of the department."

Deputy chief Blancher will be responsible for such services as personnel, records, motor maintenance, properties and supplies, House of Detention and police academy. He will continue to have the powers of command over the auxiliary police.

Activities over which Dayries will have direct control include narcotics and headquarters special (vice) squads, information officer, police physician, police band, as well as the PBI.

Under the adjustment, the PBI will be staffed by three agents and a clerk, the agents handling matters assigned by only Dayries or the mayor. To be transferred to other duties, according to Capt. Theriot, will be three stegographers and four officers who have been in the PB under Banister.

Dayries said the individual command of the various bureaus, districts and divisions will remain as they have been in the past. He said the new plan was in accordance with the home rule charter of the city of New Orleans which became effective May 1, 1954. He said this provided that the superintendent of police "shall organize, administer, supervise and discipline the police force of the city."

PBI Created In 1954

The PBI was created by an act of the then-commission council in April, 1954, its announced functions being "to make such investigations as may be ordered

by the mayor and superintendent of police. . . ."

Three civilians were named to it in August of that year and when Banister was named the police department's secretary in January, 1955, he assumed control of the bureau.

Banister launched his own probe of alleged irregularities within the department in March, 1955, and the PBI was the vehicle through which he operated. He continued to head the investigative body after his appointment as assistant superintendent.

Originally, reported irregularities within the police department were investigated by officials of the departments concerned.

Mr. Tolson	_____
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Dayries Reveals

Police Shakeup

BANISTER

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"NEW ORLEANS STATES"
 SAT. JUNE 30, 1956
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55 JUL 18 1956

Cop Probe Bureau Revamped

Superintendent Provost A. Dayries will take direct charge of the police bureau of investigation tomorrow and shift assistant superintendent Guy Banister, who has conducted a long probe of graft in the department, to other duties.

Dayries announced a reorganization of the department occasioned, he said, by the decision of Mayor Chas. Morrison and the city council to end the police investigation.

Banister will be responsible to the superintendent for operations, Dayries said.

FBI Staff Of Four

The FBI will be manned by three agents and a clerk. The agents will handle only matters assigned by either the superintendent or the mayor.

Three additional stenographers and four officers, who have served in the bureau under Banister will be transferred to other duties, said Capt. Alfred Theriot, police information officer, as soon as the bureau "gets adjusted" to its new functions.

Deputy chief Albert F. Blancher will be responsible to Dayries for administration.

"I have had this plan in mind since I became superintendent," Dayries said today. "It will give me tighter control of all bureaus, divisions and districts and will provide an essential basis for a more efficient supervision of the entire department."

Not Able to Use

Dayries explained that he has not been able to use Banister before in his full capacity because of his heavy duties connected with the investigation. Dayries added:

"Chief Banister stated on May 16 that his investigation of alleged police irregularities had gone about as far as it can go at this time. In view of this and an opinion by Leon D. Hubert Jr., district attorney, Mayor Morrison and I decided that it

Banister will have surveillance over the traffic, juvenile, detective, auto theft, homicide and bureau of identification divisions.

Blancher will control the personnel, motor maintenance, police academy (formerly under Banister), record room and radio communications.

Dayries will keep personal control over vice, narcotics and information divisions, FBI and the police band.

See POLICE—Page 2

Police—

was time to call a halt to the police probe."

Banister has declined comment on the order calling a halt to the probe.

He requested recently that he be allowed to appear before the council to report on his findings, but this move was blocked.

The new duties of both Blancher and Banister will be to "keep a constant surveillance" over the administrative and operational functions, respectively, of the department, Dayries said.

Make Evaluations

"This means," he explained, "that they will continuously make studies and evaluations of the various units under their surveillance and will keep me posted in this regard."

"The individual command of the various bureaus, districts and divisions will remain the same as they have been in the past."

Dayries said that the new organizational plan is in keeping with the provisions of the home rule charter which became effective May 1, 1954.

This provides that the superintendent of police "shall organize, administer, supervise and discipline the police force of the city."

Close of Police Probe

Mayor Morrison, District Attorney Hubert and Police Supt. Dayries issued statements Wednesday reporting the close of the special police investigation undertaken more than three years ago by the commission council.

These statements, we hope and believe, do not mean that vigilance will not be exercised to clean up any bad spots which may develop in the police department.

They do mean, we believe, that the mayor—with support of a majority of the city council—the district attorney and the police superintendent feel that the time has come to revert to a more normal situation with regard to the police department than has existed since 1951.

During the special investigation a succession of grand juries questioned a succession of witnesses on the basis of information supplied by the special citizens' committee which worked with the Metropolitan Safety Council.

So far as the graft angle is concerned, there still are several gaps unclosed.

However, there is no evidence that the successive grand juries did not diligently seek to get to the bottom of all charges placed before them.

Mayor Morrison's statement reported that 81 policemen, including officers, have been "dismissed or removed in the over-all process" since the investigation started. The statement contains no breakdown showing how many of these removals followed Supt. Dayries' and assistant Supt. Banister's report in December that a system of graft had

continued to operate until the spring of 1955.

Two police captains have been dismissed for allowing a graft system to operate in the Third and Fifth police districts. These two and another captain have been indicted for malfeasance in office; and a fourth captain has been charged with bribery. To date these captains have not been tried in state courts.

Federal convictions were obtained against two members of the police department for giving false testimony after they denied that they handled graft for a gambler charged with income tax evasions.

Because indictments in state courts have not been as numerous as the number of policemen listed as having been involved in the graft system reported by Mr. Dayries and Mr. Banister, it seems a fair conclusion that authorities were unable to round up evidence which was acceptable to the successive grand juries.

The mayor promised that any future "irregularities will be dealt with strictly and to the full extent of the law. Graft, even in the minutest degree, will not be tolerated; and the lack of enforcement will be severely and promptly punished."

That is a good resolution. It should be said, too, that enforcement efforts have come a long way in three years and that performance in recent months have been in line with the promised betterments.

Close-out of the inquiry enables the police department to begin now with a new slate. It should have the public encouragement.

Mr. Tolson	✓
Mr. Nichols	✓
Mr. Boardman	✓
Mr. Belmont	✓
Mr. Mason	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Nease	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

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New Orleans, La.
6/29/56
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GEORGE W. HEALY JR., EDITOR
 THE TIMES-PICAYUNE
 NEW ORLEANS, LA.

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55 JUL 13 1956

POLICE DEPARTMENT INVESTIGATION ENDS

Mayor, Dayries, Hubert Concur on Action

Termination of the investigation of the police department was announced by Mayor deLesseps S. Morrison in a statement which he issued Wednesday.

In an accompanying statement police Supt. Provosty A. Dayries concurred in the announcement ending the investigation.

In another accompanying statement, District Attorney Leon D. Hubert Jr. said with regard to the police department investigation that: "From the standpoint of the district attorney's office, no further action is indicated."

Mayor Morrison in his statement asserts that: "With the concurrence of the police superintendent and district attorney, we are bringing the five and a half year police investigation to a close. This action is also in conformity with the wishes of the city council."

Asked if the action had been taken with his "concurrence," Hubert replied by referring a reporter to the text of his own statement, saying that:

"I intend to say no more than I have said. That's the mayor's statement. The investigation has been conducted by the police department. There is nothing before me right now that is indicative of further action."

General Concurrence

"We drafted our statements together at a joint meeting this morning, and I believe there is general concurrence between us," Mayor Morrison said when apprised of Hubert's remarks. "I think that he is probably technically correct in that he does not make the decisions."

The announcement of the termination of the probe of the police department drew the approval of Council Vice-President James E. Fitzmorris Jr., Councilmen Walter M. Duffourc, Vic-

tor H. Schiro and Paul V. Burke and Or Wiley Mossy, foreman of the Orleans parish grand jury. Councilman A. Brown Moore said that he preferred not to comment for the present and Council President Glenn P. Claeger was out of the city.

However, Councilman Fred J. Cassibry expressed sharp disagreement with the action terminating the probe and announced that on Thursday he will ask that assistant police Supt. W. Guy Banister, who has been in charge of the investigation, be asked to appear before the council. The council meets in committee of the whole at 10 a. m. on Thursday. The announcement of the probe's termination was made Wednesday while Banister was out of the city en route from a peace officers' convention at Shreveport.

Banister Wednesday night said he had no comment to make.

Two Leave Hurriedly

The statements by Morrison, Dayries and Hubert were released in typewritten form to reporters in the mayor's office at City Hall shortly before 11 a. m. Wednesday. Morrison, Dayries and Hubert were all present, but the superintendent and the district attorney left hurriedly before reporters had a chance to digest the contents of the statements and had to be questioned further later.

"Does Banister concur in this action?" Mayor Morrison was asked.

"You'll have to ask Mr. Dayries that question," the mayor replied.

When Dayries later was asked the same question he declined to comment. When asked if he had heard any reports of any new graft breaking out in the police department, Dayries replied that he had not and that anybody knew about the existence of any such graft it was duty to report it to the superintendent.

Councilmen Burke and Fitz-

morris, although they later issued statements approving the administration's action, at first expressed surprise when informed of the announcement of the termination of the police probe.

"I didn't hear about it until about two minutes ago when I talked to the mayor on the telephone," Fitzmorris said.

Discordant Note

A discordant note came from Aaron M. Kohn, managing director of the Metropolitan-Crime Commission of New Orleans, who remarked that: "Most of the personnel reported as being involved in the graft system by Supt. Dayries and assistant Supt. Banister last December obviously are still police officers, since there has not been evidence of their removal."

Kohn, who said that he was speaking for himself, said that he was certain that the board of directors or the executive committee of the crime commission would take a "strong position" on the matter after it had time to meet and evaluate the statements of Morrison, Hubert and Dayries.

Mayor Gives Views

Mayor Morrison made the following statement:

"With the concurrence of the police superintendent and district attorney, we are bringing the 5 1/2-year police investigation to a close. This action is also in conformity with the wishes of the city council.

"As appears from the statement of the district attorney, all pending items have been completely processed and finished.

"Eleven successive grand juries, a special citizens investigation committee, two district attorneys, and the police bureau of investigation have all handled various phases of the probe and have rendered excellent and devoted service in accomplishing this important mission.

"Eighty-one police officers have been dismissed and removed in the over-all process and much corrective action has been taken to improve the department. Some cases have yet to be tried, but these are in the hands of our courts or other agencies.

"With the closing of the police probe we should like to emphasize that any future irregularities or wrong-doings shall be dealt with strictly and to the full extent of the law. Graft, even in the minutest degree will not be tolerated; and lack of attention to strict law enforcement will be severely and promptly pun-

Mr. Tolson	_____
Mr. Nichols	_____
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Mr. Mohr	_____
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Mr. Holloman	_____
Miss Gandy	_____

New Orleans P. B. file 6
D. S. Rogers

ished.
Dayries' Statement
 Superintendent Provosty A. Dayries issued the following statement:
 "I concur fully with the announced action and statements made by the mayor and the district attorney. We have all jointly agreed that the best interest of the police department and of the city will be served by closing out and concluding the present police investigation.
 "Shortly before the retirement of my predecessor, Joseph L. Scheuering, in March, 1955, it became apparent that the district attorney did not have sufficient staff to pursue the pending leads and matters under investigation. Accordingly, the FBI was enlarged by agreement with the district attorney, the mayor and city council to take on these expanded functions and

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assist the district attorney and the grand jury in completing the probe. It was arranged that reports would be made periodically to the district attorney and the grand jury by the FBI as the probe progressed.

"I feel it is no longer necessary that this abnormal situation continue; and, as of July 1, 1954, the FBI will revert to its original function set forth in the ordinance which created it in June, 1954,—that is, the investigation of matters referred to it by the superintendent or the mayor."

Community by Hubert

District Attorney Hubert's statement follows:

"On the day I took office as district attorney, on May 3, 1954, I received the report of the Special Citizens' Investigating Committee. This consisted of six volumes totaling 1892 pages of single typed material.

"During the succeeding year this material was carefully sifted and evaluated by me and three members of my staff who gave over half of their time to that job alone. In addition to our efforts, every member of the three grand juries who served during the period also read and studied the SCIC report. As a result, witnesses were called as to every possible avenue of investigation suggested by the report itself, in my office or by the grand jury. The grand juries during that period held 69 meetings and heard 309 witnesses.

"In June, 1954, the Police Bureau of Investigation was created and in January, 1955, Mr. Guy Banister became its head. Since its creation this bureau has conducted a continuous investigation of the police department and has also considered everything in the SCIC report.

"Throughout the course of the FBI investigation, reports have been presented to and studied by my office and thereafter presented to the several grand juries for their consideration. Mr. Banister has appeared before the grand juries regularly to give them reports.

"At the present time, all evidence indicative of possible criminal activities which has been developed, to my knowledge, has been presented and considered by all of the grand juries and their action speaks for itself.

"From the standpoint of the district attorney's office, no further action is indicated."

The following statement was issued by Fitzmorris:

"It is my considered and conscientious opinion that the city council should not interpose any objections to the termination of the special police investigation as recommended by Superintendent Dayries, District Attorney Hubert and Mayor Morrison.

"Evidently these officials have concluded, as I have some time ago, that the public interest would best be served by bringing this matter to a close.

"We must necessarily assume that the district attorney, who is the representative of the public and legal advisor to the grand jury, has presented to the jury all information pertaining to wrongful conduct in the police department and that the jury has taken proper action in every case submitted to them which, in the exercise of their sound judgment, would justify prosecution.

"Likewise, Superintendent Dayries and Mayor Morrison, who are charged with the primary responsibility for the administration of the police department, have apparently concluded that there is no justification for continuing this investigation from an administrative standpoint.

"Under our state laws and home rule charter, these officials are vested with the trust and authority in this field. Presumably, they realize that the purposes of this police probe have been exhausted. There is, in my opinion, no further action for the council, as the city law-making body, to take in this regard except to do whatever is necessary and proper to conclude the matter.

"All things considered, the

council should not arrogate unto themselves the prerogative of administering the police department. This is not the council's proper function or right. It would, I believe, be unwarranted for the council not to concur in the studied recommendations of these persons having primary administrative and prosecuting authority."

Termination Called Late

Burke said of the action terminating the probe: "It's late. It should have been over long ago."

Duffourc said: "I am happy that the probe is over. In my opinion it has lasted such a long time it has lowered the morale of the police department. Now that it is over, it will tend to raise the morale and restore it to normalcy."

Schiro said: "If the mayor of the city of New Orleans, the chief of police of the city of New Orleans and the district attorney of the city advise that this investigation is concluded and has been properly handled, I will go along with their decision unless at any time I find information that may cause me to doubt their word."

Moore said: "I have no comment at this time."

Commenting on the mayor's announcement, Cassibry said: "When he says the city council he means other members, not me. I have not been consulted and I do not concur in the termination of the investigation. This investigation was originated by the city council. Mr. Banister was given the authority by both the mayor and the city council to complete the job.

Would Not Agree

"Until Mr. Dayries and Mr. Banister tell me that the investigation is complete and should be terminated, I would certainly not agree that Mr. Banister stop this investigation. On Thursday I am going to again ask that the council hear Mr. Banister on the subject."

Mossy, the grand jury foreman, while saying that he could not comment for the grand jury, added: "But as far as my individual opinion goes, I concur with the mayor, the district attorney and the superintendent wholeheartedly. I think from now on, if we take a positive approach instead of a negative approach, we can accomplish a lot more for the citizens of New Orleans as far as law enforcement is concerned."

Koba had this to say:

"After the board of directors or the executive committee of the Metropolitan Crime Commission has had an opportunity to meet and evaluate the extremely important decision reflected in the statements of Mayor Morrison, District Attorney Hubert and Supt. Dayries today, there will undoubtedly be a strong position taken.

"However, speaking from my personal knowledge of the April, 1954, SCIC report and from my awareness of evidence and information which has been available to the police department and the district attorney in the past two years, discontinuance of the investigation and corrective action for the purpose of ridding the police department of undesirable elements, is without justification.

"It appears that only a fraction of the available evidence has been exhausted investigatively and used for corrective purposes. Although it is true that investigation of the police department has extended over many years, it is also true that the purpose of such investigation has not yet been accomplished. Most of the personnel reported as being involved in the graft system by Supt. Dayries and Assistant Supt. Banister last December obviously are still police officers, since there has not been evidence of their removal.

"Among continuing evidence of the existence of sub standard police work is the alarming current increase in crime in New Orleans. Supt. Dayries announced on June 16 that major crimes jumped 48.2 per cent in the first five months of this year compared to the same period of last year. This comes at a time when the nation as a whole has been reporting a decrease in such crimes. Comparable evidences of sub standard police work exist in other facts of law enforcement in our community.

"Until the causes of administrative inefficiency and dereliction of duty are removed through vigorous, uncompromising official disciplinary action, we shall not achieve the degree of security of person and property which is the modern standard for police performance elsewhere."

Public Hearings Held

Although grand jury investigation of police wrongdoing began more than two years earlier, the city council ordered its in-

Investigation of the department in April, 1953, setting up the special citizens investigating committee, composed of Hubert, Dudley C. Foley, Jr. and George C. Stohlman to do the job. Hubert re-

signed to run for his present office as district attorney before the job was completed and Philip Gehlsler was named to succeed him. Foley moved up to replace Hubert as chairman in June, 1953, while Hubert was still chairman. Kohn, who later was to become the crime commission's managing director, was named chief investigator.

The highlights of the investigation were public hearings at City Hall at which police officers, some of high rank, were questioned regarding alleged graft and prostitution and gambling operations. City officials, gamblers, prostitutes and others were witnesses.

Mayor Morrison, as one of the early witnesses, denied the existence of a system of graft in the police department and testified that if there was such a system he would know about it.

Before the investigation was completed Joseph L. Scheuering, then police superintendent, and Detective Chief Harry Daniels were indicted for malfeasance in office, but Scheuering subsequently was acquitted and the charge against Daniels was dismissed.

In January, 1954, the SCIC made its report to the grand jury. Among its recommendations was that Scheuering be dismissed along with Assistant Supt. Milton Durel. The next month Durel resigned and Dayries was appointed assistant superintendent.

Scheuering Resigns

Early the following year Banister was appointed secretary of the police department and was placed in charge of the newly created PBL. Shortly afterwards Banister announced that the discovery of a list of policemen's names at the home of a lottery figure, Lionel Dominguez, had provided a "break" in uncovering the graft system. Earlier in the year the grand jury had decided that it did not consider that the SCIC report held sufficient evidence to justify indictments.

In May, 1955, Scheuering resigned. Dayries succeeded him as superintendent and Banister replaced Dayries as assistant superintendent.

Banister has had some dis-

agreements with Dayries including one last December in connection with the releasing of a report to the council charging that 91 policemen were connected with a city wide system of graft which had existed in the department until May and June of 1955. Both Dayries and Banister, however, agreed that the system of graft had existed.

The grand jury meanwhile indicted Capt. Edwin H. Sbisá, Aaron Harris and Capt. Adolph A. Mayerhafer with malfeasance in office and former Capt. Mateo J. Azcona with public bribery. Dayries early this month dismissed Sbisá and Harris, charging that they permitted a system of graft to operate in the Third and Fifth District stations.

Back

BANISTER READY TO AIR PROGRESS

Asks Permission to Tell Council About Probe

Assistant police Supt. Guy Banister has requested permission to appear before the city council within a month to report on the progress of the police department investigation.

The request in writing was reportedly made to Supt. Provosty A. Dayries within the past week, according to informed sources.

Both Dayries and Banister had the same answer for reporters: "No comment." But neither would deny the existence of such a written request.

Mayor deLesseps S. Morrison when questioned Friday about Banister's reported recommendation to Dayries, replied that Dayries had not informed him that he had received such a recommendation. He added that if Dayries had received such a recommendation he was certain that the superintendent would have informed him.

Banister appeared before the council Dec. 29 to report on the police probe progress up to that time. Dayries publicly admitted that a system of graft had existed departmentwide.

Banister was reprimanded for releasing a copy of his report to the press before the scheduled appearance at the council chambers in City Hall a week before the actual appearance.

After the report was released, Dayries asked the council to continue the matter for a week until Dec. 29 because, he said, he received a copy of the report only that morning and wanted time to study it.

The assistant superintendent, appointed to the police department in January, 1955, to head the police probe, has made a number of reports on irregularities in the department available to both Supt. Dayries and District Attorney Leon D. Hubert.

Banister also has made recommendations to Dayries that certain officers be dismissed for their part in the alleged "organized" graft system, either by participating or allowing the system to exist.

Four police captains were indicted by the grand jury, three for malfeasance and one for public bribery. One had retired previously and the other three have been fired.

The present grand jury was expected to step up its investigation in cases before it but no action was taken when the jury met Wednesday. The jury could vote either to indict the men, clear them of charges, or pass over the matter.

Mr. Tolson	<i>[initials]</i>
Mr. Nichols	<i>[initials]</i>
Mr. Boardman	
Mr. Belmont	
Mr. Mason	<i>[initials]</i>
Mr. Mohr	
Mr. Parsons	<i>[initials]</i>
Mr. Rosen	<i>[initials]</i>
Mr. Tamm	
Mr. Nease	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

*Police Department
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2 POLICE

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J. S. Higgins

CAPTAINS FIRED HERE

Police Department - New Orleans, LA.

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Allowed Graft -Dayries

Police

(CONTINUED FROM PAGE 1)

1951, to June 1, 1951, and to the Third district from April 4, 1953, through Jan. 9, 1954. Capt. Sbisa was assigned to the Fifth district from June 21, 1951, until Sept. 19, 1951, and to the Third district from May 20, 1953, until Feb. 1, 1954.

DAYRIES ADDED: "I feel that both officers had knowledge of the graft systems and permitted them to operate."

"I gave long, careful, and deliberate consideration to reports of investigations involving Capts. Harris and Sbisa, submitted to me by the Police Bureau of Investigation."

The bureau is headed by Asst. Supt. Guy Banister.

Dayries said that both fired officers had the right to appeal his decision to the Civil Service Commission and that both, even though dismissed, remain eligible for pension.

Under pension rules of the department any officer who has served 20 years or longer cannot be deprived of his pension rights.

THE ANNOUNCEMENT of the dismissals came in the form of press releases handed to reporters by Capt. Alir d Theriot, information officer, who said:

"There will be no further comment on this press release."

It has been common knowledge in the police department that Asst. Supt. Banister has recommended the firing of at least six other captains who had been assigned to the Third and Fifth districts from 1951 through 1954.

The recommendations for dismissals of these other officers, authoritative sources said, are identical with the recommendations that caused the dismissal of Harris and Sbisa.

Two top-ranking police officers now under indictment for malfeasance were fired today from the police department because both allegedly permitted graft to operate in districts which they commanded.

They are Capt. Aaron A. Harris, former night supervisor of police, and Capt. Edwin H. Sbisa, Sr., former Sixth District commander.

Both have been under suspension since early March when they were indicted by the Orleans Parish Grand Jury on charges of malfeasance.

The indictments accused them of permitting a system of graft to operate in the Third District station while they were commanding officers there.

POLICE SUPT. DAYRIES, in announcing the dismissals today, said:

"My action was based on charges of conduct unbecoming an officer in each case in that a system of graft was operating in both the Third and Fifth districts during the tenure of assignment of Captains Harris and Sbisa."

Capt. Harris was assigned to the Fifth district from Jan. 7, (See POLICE, Pg. 27, Col. 2)



Harris



Sbisa

Federal Court Convicts Policemen

Conviction yesterday in federal court of two policemen serves to remind this community of something it has known authoritatively for four months.

That is, that an organized system of graft operated in the police department until the middle of last year.

This information was confirmed in December to the city council by police superintendent Provosty A. Dayries after it had been reported by assistant superintendent Guy Banister, who has been conducting an investigation within the department for more than a year.

The conclusion that the system of graft existed came after a two-and-a-half year period of accusations and denials, of claims that the allegations were primarily rumor without serious foundation.

During that time public confidence in the police department was shaken because of the doubts that existed. When the heads of the department confirmed those doubts, public confidence was all the more shaken.

The whole department has suffered because an organized system of graft operated among some of its members. The cloud that enveloped the department darkened the innocent as well as the guilty.

We had hoped that when the officialdom of the police department arrived at the conclusion that organized graft had been operating, prompt and decisive action would be taken to root out the offenders, so that the good members of the department would no

longer suffer for the crimes of the bad.

If steps are being taken in that direction, their effectiveness is not yet apparent.

As far as we can determine, the only criminal court conviction of a police officer in connection with the investigation of the department occurred in 1954, when former police Maj. Henry Clark was found guilty on two counts of perjury. He was charged with lying to the grand jury.

In contrast to the absence of criminal court convictions of police department members since the graft system was acknowledged last December was the conviction yesterday in federal court of two policemen on charges that they lied when asked questions about payoffs to the police for protection of a lottery business.

The two policemen were found guilty of falsifying statements made to US treasury agents investigating the income of lottery operator Lionel Dominguez.

This federal court development keeps alive the public's uncertainty about the police department. The good members continue to suffer for the bad.

It has made apparent again the pressing need for the long investigation of the police department to be brought to a definite conclusion. That means, of course, the prompt elimination of the "bad apples" in the police department barrel by court action or by dismissal for administrative infractions.

Mr. Tolson	_____
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Mr. Belmont	_____
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Police Dept - New Orleans, La

CARL CORBIN, EDITOR
NEW ORLEANS STATES
NEW ORLEANS, LA.

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Miss Gandy	_____

TWO COPS GUILTY IN PERJURY TRIAL

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Police Dept.
New Orleans
La

charging they falsified statements made to United States treasury agents investigating the income of lottery operator Lionel Dominguez.

Judge Herbert W. Christenberry deferred sentencing at the request of defense counsel Rudolph Becker until May 9 at 2 p. m. In Hands of Jury

The case was placed in the hands of jurors at 1:05 p. m. and the verdict was returned at 1:50. The officers may be sentenced to as much as five years in prison and/or ordered to pay \$2000 fine on each of the three counts.

The officers showed no emotion as the verdict was read. Each sat with his hands folded in his lap. They were released under the original bond of \$1000 each pending the sentencing.

Agents Charge
Treasury agents charged the two officers did not answer truthfully when asked questions in connection with payoffs made by Dominguez to policemen for the protection of his lottery business.

Highlight of the trial was the testimony of two agents, who said they were in Dominguez' house at 1655 N. Roman when Dominguez gave Brooks an envelope containing \$80 and Maureau was accom-

panying Brooks at the time. Brooks and Maureau did not take the stand in their own defense. They relied on the testimony of

See TRIAL-- Page 14

Convict Pair on 3 Counts

Two New Orleans policemen were found guilty of perjury this afternoon by a federal court jury that deliberated just 45 minutes. Sgt. Thomas Brooks and Ptn. August J. Maureau Jr. were convicted on three of four counts

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Trial—

fellow officers for exoneration of the charges.

Counsel for the two police officers rested their case at 11:20 a. m. and then asked for a brief recess to prepare their closing arguments.

Opens Arguments

Shortly after the recess, closing arguments for the government were opened by assistant US attorney Jack C. Benjamin, who asked the jury to return a guilty verdict.

He contended that the government had proved a case beyond all doubt as to the wilful intent of the defendants in making false statements concerning their associations, visits, and receipt of money from Dominguez.

Benjamin wound up his appeal at 11:45 a. m. and immediately Becker, defense attorney, went before the jury with a plea of acquittal.

Earlier Becker was turned down by federal Judge Christenberry in a motion for a directed verdict.

He then opened the defense's case.

'Knew Nothing'

Police secretary Maj. Albert

Blancher was the first witness called.

He testified he knew nothing derogatory about the two defendants.

Next was Lt. Arthur King, assigned to headquarters, who presented records covering the assignments of the two officers.

Similar testimony was given by Sgt. Victor Barbaret, who said he was assigned to the Fifth District station and was in charge of a platoon on July 23, 1954, the date of the alleged offense committed by Brooks and Maureau.

Barbaret was followed by Sgt. James Arnold and Capt. Edward Herman, both of whom testified about platoon assignments of the two defendants in July.

Hear Tax Agent

Becker, in a surprise move, then called federal tax investigator Naurbon Perry, who told of his activities in connection with the tax probe of police officers.

Perry said he began the investigation of Dominguez' income in February, 1953, and made a final report in September, 1954.

During the investigation, he said, he saw police officers at Dominguez' residence at 1655 N. Roman prior to July 23, 1954, but not after that date.

Character witnesses called by the defense included Maj. William McNamara, supervisor of districts; Robert Johnson, merchandise manager for a distilling firm; warrant officer William Young of the US Army; William Boesch, retired federal employe, and Roy Johnson, identified as a salesman.

Not Pertinent

In filing the motion for a directed verdict, Becker contended that the alleged false statements made by Brooks and Maureau were in no way material to any investigation being conducted by the internal revenue department.

Becker said the government closed its case without proving that the alleged perjury was material to the government's

probe into the income of certain police officers.

He said unless the government can show what was done with money allegedly given to Brooks in the presence of Maureau at Dominguez' residence at 1655 N. Roman, that this testimony would be illegal.

How About Others?

"For the sake of argument," Becker continued, "let's say the two men got the money and let's say they did spend it themselves.

"What would that have to do with the others under investigation in the tax probe?" he asked.

"Up to now the government has failed to prove that even getting the money was material to its investigation.

"The answers given by the two men did not impede, slow up, or even cause the investigation to be dropped.

"If they did make the false statement charged to them by the government, they were not material to the issue at the time."

Both Under Oath

Ruling without hesitation, Judge Christenberry said it was not for the defendants to decide whether their statements were material and to frame their answers accordingly.

"Both were under oath to tell the truth," Judge Christenberry said.

"The treasury agents were not required under law to disclose to them (the defendants) the names of those under investigation.

Continuing, Judge Christenberry declared:

"The court will take judicial cognizance that where a system of bribery is conducted, it must have a collector."

In conclusion, the judge said, he was satisfied the government had established materiality and then denied the motion for the directed verdict.

Dominguez, under federal indictment himself for alleged evasion of income taxes on about \$1 million, was called to the stand yesterday but refused to answer questions on the grounds his statements might incriminate him.

US attorney George Blue rested the government's case yesterday afternoon after the testimony of agents Naurbon Perry and Oscar Caballero, the tax sleuths who said they witnessed the payoff at the home of Dominguez.

These were the details given by Perry on the stand:

On July 23, 1954, he and Caballero went to the home of Domini-

quez at 1655 N. Roman to observe a payoff to certain police officers.

They arrived at 8:50 a. m. and saw Dominguez, went inside and sat at a large table. At 9:05 a. m. the doorbell rang and Dominguez came back in from the door and instructed an employe (bookkeeper James Cressy) to hand him a small, brown envelope. Then Dominguez took the envelope, went to a cabinet, took out a white money bag and counted out \$60—three \$10 bills, three \$5 bills and 15 \$1 bills.

Perry took the money, counted it, and marked the righthand corner of each bill. Dominguez then placed the money in the brown envelope.

Dominguez then marked a letter 'D' on the envelope and took the envelope to the door, where he handed it to Sgt. Thomas Brooks.

Perry went outside the home on the pretense of getting a lighter from his car, saw another person talking to Dominguez, and noticed a car parked in front of the Dominguez residence.

He identified the other man as Ptn. Maureau, and the license number of the car as that issued to Maureau.

Perry said former police superintendent Joseph L. Schaeffer and Capt. Aaron Harris, now suspended and under a indictment charging malfeasance, were being investigated in 1954.

Asked to name other officers involved in the probe, Perry said:

"Chief of detectives Harry J. Daniels, Capt. Frank Italiano, Capt. Eddie Herman, Capt. Kelly, Capt. Mayerhafer, Capt. Marullo, Maj. Joseph DePaoli, Lt. Eldred Paternostro, Lt. Louis Hill, Capt. Sbis, Capt. Delatte—I think that is all."

PROBE ORDERED ON SUBVERSIVES

Banister Assigned to Job; Eastland's Aid Sought

Mayor deLesseps S. Morrison announced Tuesday that he has ordered an investigation of subversive activities in New Orleans.

The mayor announced that he has assigned to the job of investigating possible subversive activities in the city Assistant Police Supt. Guy Banister, a former federal bureau of investigation agent, whom he described as "an expert in this field."

Since he became identified with the New Orleans police department more than a year ago, Banister has headed up the investigation of alleged police graft in the city.

Police Supt. Provosty A. Dayries said the investigation of subversive activities is nothing new in the police department. Banister has been in charge of such operations since he joined the police department, he said.

"Before that," the superintendent added, "such operations were handled by other high-ranking officers."

Will Meet with Eastland
"The department has always coordinated and co-operated with the federal bureau of investigation in these activities."

Morrison announced that he has arranged for himself and Banister to meet with Sen. James O. Eastland, chairman of the United States Senate's judiciary committee at Eastland's home in Doddsville, Miss., on Thursday or Friday to discuss "leads" which the committee might give them regarding subversive activities here.

The mayor's announcement followed publication of newspaper reports of testimony before Eastland's committee by Herman Liveright, program director for DSU-TV. Liveright refused to

answer a series of questions the committee pertaining to alleged Communist activities in New Orleans and New York.

Statement by Mayor:
Mayor Morrison issued the following statement on the 1st: "Published reports this morning of the United States judiciary committee indicate there is a possibility of sub-

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versive activity in New Orleans. "I spoke with Senator James O. Eastland, chairman of the committee, this morning and told him that we intended to investigate these circumstances locally and that we would like to have the benefit of any 'leads' that his committee might give us."

'Banister Expert in Field'
"I have asked Superintendent Dayries to assign this task to Chief Guy Banister. Mr. Banister, while officer in charge of the FBI Chicago office, handled similar investigations in the Chicago area. He was considered an expert in this field."

"Senator Eastland explained that he could not discuss the details of this case with me by telephone but indicated he was quite pleased that we should follow up on this important matter locally. We made a date to meet at his home in Doddsville, Miss., on Thursday or Friday of this week, where he offered to discuss the matter thoroughly."

"For the past 10 years we have had little or no evidence of Communist activity in New Orleans. This action is taken because I feel that the city government has a responsibility to act directly in assisting the federal authorities in sweeping any trace of communism from our area."

Mr. Tolson	_____
Mr. E. A. Tamm	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Ladd	_____
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Banister Plans Special Squad In Red Probe

Assistant Police Supt. Guy Banister said today he intends to build a special squad to investigate any Communist activities in New Orleans.

He was given that assignment yesterday by Mayor Chep Morrison.

Morrison said he and Banister will fly tomorrow to Greenwood, Miss., and drive from there to Doddsville, the home of Sen. James O. Eastland to confer with him on possible subversive activity in New Orleans.

The mayor said he plans to ask the senator for any leads he may have on New Orleanians who are suspected of Communist activities.

He and Banister will leave Missouri at 9 a. m. tomorrow and expect to reach Doddsville at noon.

The assignment will not interfere with his investigation of graft in the police department, said Banister.

"I won't let it interfere," he explained.

He said he is going to detail two men to the special Communist assignment until he can build a larger squad.

"If I can get the men," he added.

Training for the squad will be on-the-job, he said. "It will be a continuing thing."

The mayor assigned Banister to the investigation of subversive activities yesterday. Banister, a former FBI chief in Chicago, was described by the mayor as "an expert in this field."

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 POLICE DEPARTMENT
 NEW ORLEANS, LA.

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NEW ORLEANS STATES
 NEW ORLEANS, LA.
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 Page 3 Col. 4

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FBI - NEW ORLEANS	

55 APR 9 - 1956



SGT. BROWN



PTN. PARKER

Banister Lauds Men To Testify

The Orleans Parish Grand Jury today started sending out subpoenas for policemen, some of whom are reported to have made statements exposing a system of graft in the police department.

The jury has set a meeting for 10 a. m. Thursday to hear the officers.

Asst. Supt. of Police Guy Banister, head of the Police Bureau of Investigation, to whom some of these policemen made statements, today praised the policemen-witnesses for helping the effort to clean up the department.

HE SAID: "These police witnesses who are appearing before the jury are to testify in connection with a system of graft in the police department. They are helping the city of New Orleans clean up the police department."

"These men were victims of circumstances and should be (See PROBE, Pg. 17, Col. 5)

Those Called

Here are the names of the police officers called by the jury for Thursday:

Sgt. John Bray, 6423 Milne, Third District.

Ptn. Phillip (Pat) Fritcher, 936 N. Miro, Third District.

Ptn. Edward G. Kennedy, 5822 S. Front, traffic.

Ptn. John L. Zorinski, 3741 Parkview, Third District.

Ptn. Harland G. McGee, 3436 Constance, Third District.

Ptn. John W. Reinhart, 3324 Bruxelles, traffic.

Sgt. John Leavines, 418 Werner Dr., headquarters special squad.

Names of police officers subpoenaed for Friday are:

Lt. Louis Duvalne, 1218 Poland, Sixth District.

Lt. Clifford LeBlanc, 815 France, Fifth District.

Sgt. Robert L. Brown, 140 10th, traffic.

Ptn. Richard S. Bird, 106 Poland, Fifth District (under suspension).

Lt. Eldred Paternostro, 3116 Upperline, First District.

Names of the former policemen called for Thursday are:

Joseph C. Parker, 807 Hidalgo, who was a patrolman.

Thomas A. Clayin, 515 Werner Dr., who was a patrolman.

Also called for Friday is former patrolman Donald M. Clements, 5752 Warrington Dr.

Probe

(Cont. from Page 1)

commended for their part in helping bring to light grafters in the police department."

Many police officers are reported to have made statements to Banister.

Banister has been making bi-monthly reports to the grand jury of his investigation.

Last week he said he had placed before the grand jury enough information to bring indictments.

BANISTER WAS then called before the grand jury by Foreman Paul Maloney, Jr., who said after the meeting that Banister had not laid a specific case before the jurors and that "he had to put the meat on the table."

After that meeting Dist. Atty. Hubert and Banister conferred.

When the conference ended, Hubert announced that certain witnesses would be subpoenaed for the grand jury meeting at 10 a. m. Thursday.

Informed sources said that one witness would be the confidential informant of Crime Prober Aaron Kohn, executive director of the Metropolitan Crime Commission. Kohn went to jail rather than reveal this

man's identity.

Informed sources said that the witnesses also would include ex-police officers who have made signed statements to Banister.

It was reported these statements would be to the effect that police officers had a system of graft and split among themselves every Friday certain amounts of money which had been received for protection from gamblers and vice operators.

Police Probe 3 Years Old; No End Seen

By ED HOAG

More than a thousand New Orleans policemen have lived under a shroud of suspicion for nearly four years and there is apparently no letup in sight.

The department's stain, a blot that reaches out and touches every citizen of the city, is the New Orleans police probe — the investigation into corruption and police graft that has been going on since early 1953, following reports and rumors dating back to 1952.

The police probe has been handled by a special citizens investigating committee set up by the city council, by the council itself, by a parade of grand juries, and is currently in the hands of an agency of the police department itself.

No Idea When It Will End

This week the three men most concerned with the investigation said they have no idea when it may end.

These men are:

Guy Banister, assistant police superintendent and chief of the police bureau of investigation which is conducting the probe.

Provosty A. Dayries, police superintendent and responsible for disciplinary administrative action.

Leon D. Hubert, district attorney, responsible for prosecution in the courts.

None of the three would venture a guess whether the probe will take another month, another year, or more.

Banister maintains he is doing his job—gathering evidence and proof—and says further steps are up to Dayries and Hubert.

'Studying Banister Recommendations'

Dayries says he is studying recommendations made by Banister in connection with reports of public bribery. He said he could not estimate when his study may be completed.

Hubert declined comment on reports which have been forwarded to him by Banister, saying he never comments on pending cases.

That a system of graft existed within the New Orleans police department no longer seems to be a question for debate.

Banister told city councilmen in his most recent report he had signed statements implicating 91 policemen and seven civilians in an organized citywide graft system.

Police Department
New Orleans, Louisiana

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Nease	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

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NEW ORLEANS STATES
-NEW ORLEANS, LA.

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Dayries agreed with Banister that the system existed. Banister further told the council, and repeated this week, that graft still exists, now on an unorganized level.

Report Is Already 'Obsolete'

He has also said his report to the council listing 91 officers is already obsolete—meaning he has gathered enough evidence since making that report to make it incomplete.

These were the questions put to Banister and answers he gave this week:

Q—What stage is the police investigation in now?

A—We have developed a lot of information and are in the process of developing more and making it ready for presentation to the district attorney.

Q—Have some cases already been presented to the district attorney—cases which you consider contain sufficient evidence for prosecution?

A—Yes.

Q—How many?

A—I would rather not say.

Administrative Action Warranted

Q—Have cases been presented to Superintendent Dayries, cases which you think warrant administrative action?

A—Yes.

Q—How many?

A—I would rather not say.

Q—Can you estimate when the investigation will be complete?

A—There is no way to tell.

Q—Can you estimate whether it will take a month or year or longer?

A—We find more and more information all the time, as the investigation progresses. We are at least a month behind just in typing. I could not say when it will be complete.

Says Signers Will Be Subpoenaed

Q—In your report to the council, you said you had signed statements implicating 91 policemen in a system of graft. Will the persons who signed these statements testify in court?

A—They have no choice. They would be subpoenaed.

Q—You said in an address before a civic club this week that the report made to the council is obsolete. Does that mean you will scrap it?

A—I meant we have gathered much more information since then, more names, since the council report.

Q—Do you have any idea why Superintendent Dayries has taken no action on recommendations made by you in connections with the probe?

A—He said he is studying them. I could not comment further.

Q—Do you have any idea why District Attorney Hubert has taken no action on reports you made to him?

Only Turns Over Reports

A—In the end, we have nothing to do but turn over reports to the superintendent and the district attorney. I have been told, made to understand, I have no authority other than that.

Q—When you first took on the job of handling the police investigation, you said you were sure you could obtain enough

(Turn to Page 2, Columns 4 and 5.)

Police Probe: No End Seen

Continued from Page 1

evidence to warrant indictments and convictions. Do you still feel that way?

A—We are doing what we expected to do.

Q—You also report to the grand jury?

A—Yes. The grand jury has as much information as the district attorney.

Q—Then your reports to the grand jury have included what you consider complete cases, good enough for prosecution?

A—Yes.

Doesn't Want to Answer Question

Q—How much time has elapsed since your first report of evidence of public bribery was made to the superintendent and the district attorney?

A—I would not want to say that.

Q—What do you think it would mean to the police department if the investigation were terminated, once and for all?

A—It would mean the good men could build a good department—one they could be proud of and one the citizens could be proud of.

Q—Do you feel that at this point, the termination of the probe rests with administrative action and prosecution?

A—Yes.

Q—You feel you have given them enough evidence to act?

A—Yes.

Questions Asked of Superintendent Dayries

These were the questions put to Superintendent Dayries and his answers:

Q—Could you say when the police investigation will be completed?

A—We discuss that frequently. I do not know. I am in no position to say. It is very indefinite.

Q—You have received reports from Mr. Banister with recommendations concerning public bribery cases?

A—Yes, recent reports.

Q—What is the status of these reports?

A—They are being studied.

Q—When will the study be complete?

A—I have no idea when it will.

Work Closely with District Attorney

Q—Do you confer with District Attorney Hubert in connections with reports made to him by Mr. Banister?

A—The police department keeps very close touch with the district attorney and the grand jury. We have a very close working arrangement, very co-operative.

Q—Do you meet with Mr. Hubert yourself to confer about reports made to him by Mr. Banister?

A—No, Mr. Banister meets with Mr. Hubert.

Q—Then you consider Mr. Banister as the representative of the police department in conferring with the district attorney?

A—Yes.

Q—What effect would you say the completion of the probe will have on the department?

A—A very decided effect—an improvement on the morale of the organization. We are very anxious to complete all investigations pending.

District Attorney Hubert Questioned

These were the questions put to District Attorney Hubert and his answers:

Q—Could you estimate when the police investigation will be completed?

A—I don't know—I don't think anyone can say.

Q—You have received cases from Mr. Banister in connection with public bribery?

A—I don't comment on pending cases, any pending cases. I would need to tell legal reasons, reveal the operation of the district attorney's office.

Q—Will your office act on cases presented by Mr. Banister?

A—I can only say my office acts when it has cases.

Admits Receiving Banister Reports

Q—Can you confirm whether your office has received cases from Mr. Banister?

A—It depends on what you mean by cases. We receive reports from Mr. Banister. We have been receiving reports from him since he has been in office.

Q—Then will you say whether you consider he has submitted any reports which include enough evidence to warrant prosecution?

A—That would be commenting on pending cases. Understand, we do not comment on any pending cases. It would be bad prosecution tactics.

The New Orleans police probe, which has consisted mostly of investigating allegations of police graft in connection with prostitution, lottery and other vice activities, officially began in April, 1953, when the city council, then the commission council, began preparing an ordinance creating the special citizens investigation committee.

\$50,000 Is Voted by City Council

On April 25, the council voted \$50,000 for the probe and named Dudley Foley Jr., George C. Stohman and Leon D. Hubert as members of a three-man investigating committee. Hubert was not district attorney then.

In June, Aaron M. Kohn, now managing director of the Metropolitan New Orleans crime commission, was appointed chief investigator. In October, 1953, Hubert resigned to run for district attorney and was replaced by Philip Gensler.

High light of the special citizens investigating committee's existence was a series of public hearings held in City Hall.

Although halted twice through lawsuits attacking the legality of the committee setup, the hearings finally ran to completion.

Those hearings opened in November, 1953, and continued on and off, until January, 1954.

During the course of the testimony policemen, city officials, gamblers and other witnesses took the stand.

Mayor Denies Existence of Graft

Mayor Chep Morrison testified there was "absolutely" no system of graft in the police department.

Doris Gellman, admitted former prostitute, told of her experiences in various establishments in New Orleans, told of seeing policemen paid off for ignoring vice activities.

Police Sgt. Clifford Reuther denied he was a "bagman" for picking up graft collections. Reuther was later tried and acquitted of conspiring to commit public bribery.

At one point during the investigation, Kohn declared the probe showed "an almost universal tradition in the police department of graft, inefficiency, deceit and inattention to duty."

Policemen Charged in Burglary

In succeeding months, two policemen were charged with simple burglary in connection with the theft of a safe from a drug store. They were acquitted.

Joseph L. Scheuering, then superintendent of police, and Harry Daniels, detective chief, were indicted for malfeasance

in office. Scheuering was found not guilty. The charge against Daniels was dismissed.

In January, 1954, the grand jury received the report of the committee. "Speedy action," they promised.

The next month, assistant superintendent Milton Durel retired and was replaced by Dayries.

That same month, conclusions reached in the special committee's final report began to come out.

A demand for the ouster of Scheuering was revealed as the No. 1 recommendation in the committee's report. Morrison stood firmly behind the superintendent, repeating his faith in him.

Cassibry Calls for Report's Release

Time dragged on. The grand jury began calling in witnesses, investigating all allegations contained in the special committee's report.

In November, 1954, Councilman Fred Cassibry called for release of the full probe report to the public. He announced he would release his copy unless legally barred from doing it.

The report, finally released, charged police bribery, collusion and inefficiency. It called for the firing of Scheuering and declared the ultimate responsibility for the police department laid with Mayor Morrison as its chief executive officer.

In March, 1955, the grand jury decided it did not think the committee report held enough evidence to warrant indictments.

In April, 1954, the police bureau of investigation was created as a unit of the police department, and Banister was given the job of heading the bureau when he joined the department the following January.

Police List Discovery Is Made

Discovery of a list of policemen's names at the home of a lottery operator, Lionel Dominguez, spurred renewed efforts into the investigation of police corruption.

Banister said later this was the "break" in uncovering the graft system he said existed.

Meanwhile, Scheuering resigned his post in May, 1955.

New disputes have cropped up since Banister has been steering the police probe—largely questions of authority concerning him and Dayries.

Banister ordered Maj. William DePaoli, traffic supervisor, suspended, charging insubordination and inefficiency. Dayries within 24 hours, after consulting with Morrison, countermanded Banister's order, reinstated DePaoli, and reprimanded Banister for his action.

Soon after that, DePaoli retired.

Another Banister-Dayries Dispute

As recently as last month, when Banister made his first public report on the probe at an open meeting of the council, another dispute between him and Dayries came up.

Dayries complained because he did not feel he had enough time to study Banister's report before it was delivered. He also complained because Banister gave copies to the press before delivery, with the agreement it would not be published until he made the report.

This is the report in which Banister declared that he had signed statements implicating 91 policemen in a citywide system of graft that operated until May or June of last year.

None of the 91 has been charged. Their identities have not been disclosed. The cloud still hangs over the whole department.

BANISTER ASKED TOP JOB--MAYOR

Urged Him to Fire Dayries, Says Morrison

Mayor deLesseps S. Morrison charged Friday night that Guy Banister last February asked him to fire Provosty A. Dayries and employ him as superintendent.

"I lost confidence in Banister even before his reckless episode in the French Quarter," the mayor declared.

Morrison issued a statement blasting Banister after the ousted assistant superintendent of police attacked the mayor and police department in an earlier luncheon address.

Banister said in his speech before the Sertoma Club at the Monteleone hotel that public officials "from the lowest to the highest do not want law or never did want an investigation of the police of this city."

Joining Mayor Morrison in repeated replies to Banister was police detective chief Harry J. Daniels.

Banister had indicated that Daniels had failed to make "a single arrest in 1956."

Daniels, in reply, called Banister "a mad dog lashing out," asked Job in February—Mayor Morrison, revealing Banister's purported effort to get Supt. Dayries' job, declared:

"Back in February of this year, he (Banister) called on me one Saturday morning and suggested that I fire Supt. Dayries and employ him as superintendent.

"He did not charge Dayries with dishonesty or lack of sincerity. He said Dayries is stupid and incompetent."

"I disagreed with Banister then and expressed my own opinion that Dayries is doing a fine job and was, and is, an efficient, honest and incorruptible public official."

"Hatchet Man, Charge I am omitting any further discussion of this interview as it would be embarrassing to Banister."

Morrison said. "Although I do not intend to carry on an argument with a discharged city official, I cannot let his irresponsible charges stand unanswered."

"Since Banister was suspended for committing a disturbance in the French Quarter and has subsequently been fired by Supt. Dayries for insubordination, he has undertaken the role of 'hatchet man' against district attorney Leon D. Hubert, Supt. Dayries, and now myself."

"I would like to warn the grand jury that he will do the same against them should they fail to agree with any of his unsound recommendations."

Morrison rapped Banister for "lack of loyalty" and said he had given the ousted assistant superintendent "an excellent chance to further develop his career."

Had Free Hand Says Mayor. Answering Banister's charges that he was hampered in an investigation of the police department, the mayor replied that

Continued on Page 7, Column 5

BANISTER ASKED

Continued from Page 1

the first year and a half Banister had "a free hand," adequate funds, numerous personnel and full cooperation.

"I defy Banister to point out one incident where I have failed to back him up while he was in charge of investigating the police. And I have written proof that every case he developed was presented to the grand jury for action."

"If Banister has any further facts that he has not presented to the grand jury or to duly authorized agencies, he is derelict as a citizen for failing to do so. I suggest he act instead of talk."

In his reply to Banister's criticism of the detective bureau Chief Daniels remarked:

"It must have taken him the whole time of his suspension to make those groundless, stupid and meaningless remarks."

"Publicity Seeking," Says Daniels. "He kept clear of me during the time he was assistant superintendent of police and my superior even though he had the police bureau of investigation and numerous other investiga-

tors under his command and had the power to take official action."

"I do not intend to answer him in full now or at any later date and give publicity to any of his remarks or actions as publicity is all he is seeking. As far as I am concerned, Banister came and went and I am still here."

In his luncheon address, Banister said he did not know why Mayor Morrison asked him to come to New Orleans.

But he said he was certain that the mayor and city officials "do not want an investigation of the police department."

"It's hard to figure out what the man (Morrison) had in mind," Banister said. "If he expected me to come down here and lend my name as a shield to be a party to it... well, I fooled him."

Banister said he had been dismissed from his job "for one reason—that I refused to stop the investigation of charges that graft money was being collected by some members of the police department."

Never Wanted Inquiry.

Banister, now a special investigator for the Orleans parish grand jury, asserted that "from the first day I started investigating the sordid practices that were in vogue in our police department, I have had one barrier after another thrown up to stop my work."

"From the lowest to the highest, they do not want now, or never did want, an investigation of the police of this city."

"Why don't they want it? Because the facts will create an exposure of one of the most efficiently organized systems of graft that has ever attached itself to any law enforcement body in any metropolitan city in the United States."

Banister said that the crime rate in New Orleans was at an all-time high, and that the crime record proves that morale in the police department is at its lowest ebb. The number of arrests made is poor proof of performance, he asserted.

"Sweep Raids Discounted." "Sweep raids," which he said are raids in which many people are rounded up at once and arrested, are a sign of "a substitution of activity for performance—you don't find a good burglar or

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POLICE DEPARTMENT
NEW ORLEANS, LA.

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JUL 18 1957

a good bank robber in sheep
raids."

"The hard fact is that your po-
licemen are not working," he said.
"The law enforcement load is be-
ing carried by a minority.

"To prove that your policemen
are not working, let us look at
the record. I challenge you to
find that our chief of detectives,
Harry J. Daniels, made a single
arrest in 1956.

"I couldn't find it. One would
think that he would accidentally
stumble upon a case once in a
while.

"While you are looking for
Daniel's record, see if you can
find any indication of invest-
igative effort on the part of
Captain (Jeff) Albert, (Earl)
Burmester, (William) Dowle,
(Edward) Reuther and (Wil-
liam) Stevens. I could not find
even an arrest made by them
in 1956.

"Also, look over the records
of Lts. (William) Salafie and
(William) Bazajou for the same
year. I couldn't find any.

"You might find, as I did, that
about 11 detectives did nothing
more than draw their salaries
for 1956.

"If you will check in the auto
theft bureau you will find about
11 more who did not report an
arrest for this time."

He said that his position with
the parish grand jury may be
a step in reopening the police
investigation.

Banister Wanted Top Post--Chep

Former assistant police Supt. Guy Banister tried to persuade Mayor Chep Morrison to fire Supt. Provosty A. Dayries and promote Banister to the job, the mayor has charged.

It was the latest volley fired by Morrison in his running dispute with Banister, who yesterday attacked the mayor and the police department in a public address.

Morrison said he "lost confidence in Banister before the official was suspended following a French Quarter barroom disturbance March 1.

"I suggested I fire Supt. Dayries and employ him as superintendent. "Back in February," Morrison related, "he (Banister) called on me one Saturday morning and suggested that I fire Supt. Dayries and employ him as superintendent.

"He did not charge Dayries with dishonesty or lack of sincerity. He said: 'Dayries is stupid and incompetent. I don't want Probe

Banister. In a speech before the Sertoma Club charged that public officials "never did an investigation of the police of this city."

As head of the police bureau investigation, Banister said he had "one barrier after another thrown up to stop my work."

Banister also complained that several top officers, including detective chief Harry J. Daniels, did not make any arrests during 1956.

Daniels replied yesterday that Banister is a "mad dog lashing at."

Noting that Banister has been employed as a special investigator for the Orleans parish grand jury, the mayor said:

"Since Banister was suspended for committing a disturbance in the French Quarter and subsequently been fired by Supt. Dayries for insubordination, he has undertaken the role of hatchet man against district attorney Leon D. Hubert, Supt. Dayries and now myself.

"I would like to warn the grand jury that he will do the

same against them should they fail to agree with any of his unsound recommendations."

Morrison also said: "I immediately disagreed with him and expressed my own opinion that Dayries is doing a fine job and is an efficient, honest and incorruptible public official.

"I told him I was shocked at his lack of loyalty and I now see that he is consistent in being disloyal to me. I place a high rating on loyalty, whether certain critics of mine do or not. Completely Free Hand"

"For two and a half years I have given Banister a good job and a fine opportunity to further develop his career. Whether he acknowledges it or not, he has had, certainly for the first year and a half of his employment, a completely free hand and was backed up fully with adequate funds, personnel selected by him, and full cooperation from me. I defy Banister to point out one instance where I have failed to back him up while he was in charge of investigating the police, and I have proof that every single case that he developed was presented for action to the grand jury.

"The written reports of the Wiley Mossy and Joseph Henican grand juries both stated this fact clearly and emphatically. If Banister has any further facts that he has not presented to the grand jury or to duly authorized agencies, he is derelict as a citizen for failing to do so. I suggest he act, instead of talk."

Morrison also criticized Banister for his lack of loyalty in refusing to accept the job of planning director for the department after his suspension was lifted.

Banister refused to accept the post, claiming it was the job for a junior officer.

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NEW ORLEANS, LA

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N. O. Police Dept Graft Rid Banister

Guy Banister today charged that a complete probe of the Police Dept. would expose "one of the most efficiently organized systems of graft" ever to exist.

He said that because city officials from the top down realize this, he has been blocked in his investigation since the day he reached New Orleans.

"From the lowest to the highest," he said in a speech at a Sertoma Club luncheon, "they do not want now, nor did they ever want, an investigation of the police of this city."

"Why don't they want it? Because the facts will create an exposure of one of the most efficiently organized systems of graft that has ever attached itself to any law enforcement body in any metropolitan city in these United States."

Banister charged also that a minority of the city's policemen are carrying the "law enforcement load" while the rest "are not working." He cited a number of high-ranking officers who he said do not earn their pay.

"THE UNINFORMED, the uninitiated, may claim that morale is high and attempt to prove it by pointing to the number of arrests made as proof of proper police activity," he said.

The number of arrests made is poor proof of performance.

"I checked on one of the 'sweep raids' on one of the times when I was sort of accidentally left in charge of the department, and found that over 200 persons had been arrested.

"But, nearly half of them had to be released without charge.

"Not only were their rights violated, but your rights were placed in jeopardy.

"No burglars were caught. That is not the way to catch them. It just proved the failure of day-to-day operations. Burglars and robbers are caught through detection."

BANISTER CONTINUED:
"The hard fact is that most of your Police Dept.

*Police Department
New Orleans LA*

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NEW ORLEANS, LA.
6/14/57
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GUY BANISTER
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members are not working. The law enforcement load is carried by a minority."

He said New Orleans now suffers from the "highest insurance rate against burglary of our homes of any city in the South."

"It may well be the highest in the nation," he said.

The official manual of the Louisiana state commission on Casualty and Surety Rating lists cost of blanket burglary insurance in Orleans (New Orleans), Jefferson and Plaquemines parishes at \$22 a year for the first \$1000 coverage and \$14.75 for the second \$1000.

Cost in all other areas in Louisiana, including all (See BANISTER, P. 9, Col. 3)

Banister

(CONTINUED FROM PAGE 1)

of its cities such as Baton Rouge and Shreveport, is \$12 for the first \$1000 and \$8.00 for the second \$1000.

"It is unadulterated, unmitigated hypocrisy to claim that the efficiency of a machine, by reflecting more accurate figures, accounts for the crime increase."

"The machine is simply an adding machine. Using a pencil to count is actually faster, since preparing the card for the machine is an added operation."

BANISTER THEN cited examples of what he called "police authority running uncontrolled."

"To prove that your policemen are not working, let us look at the record," he said.

"I challenge you to find that our chief of detectives (Harry Daniels) made a single arrest in 1956.

"I couldn't find it. One would think that he would accidentally stumble up on a case once in a while. The truth is, Harry Daniels has not indicated that he is capable of leading men and supervising their activities. . . .

"While you are looking for Daniels' record, see, if you can find any indication of investigative efforts on the parts of Captains Albert, Burmaster, Dowie, Reuther and Stevens.

"I could not find even one arrest made by them in 1956."

BANISTER SAID a check of the records of Lts. Salathe and Bazajou for 1956 would show the same results.

"I was looking for arrests, the first step in checking on a detective's performance.

"You might find, as I did, that about 11 detectives are doing more than draw their salaries for 1956, including V. Amendment, Det. Vladim

He said he knew nothing about

"THE TRAFFIC division is headed by Major J. L. Becker," he continued, "a man referred to recently by Supt. Dayles as a 'genius.'"

"Whatever he has, it doesn't seem to be working for our benefit since we have the highest traffic fatality rate for a city of our size in the nation."

Banister then indicated that he may give another speech in the near future on the traffic division, adding "that is another story."

He hinted at the same thing regarding the Bureau of Districts, saying:

"Det. Vladimir Slichko, according to a news item in the press, invoked the Fifth Amendment when asked if he had ever received money from Maj. William McNamara.

(Maj. McNamara has denied any such charge).

"McNamara heads the Bureau of Districts. This gives him command over all uniformed men in the department except those in traffic. But that is another story."

BANISTER OPENED his address with a charge that he was dismissed as assistant police superintendent because he "refused to stop the investigation of charges that graft money was being collected by members of the Police Dept."

"Anyone with an ounce of intelligence knows this," he said.

"If I, having knowledge of the facts, had not continued, I could have been dismissed for neglect of duty and charged with violation of the appropriate statute—instead of for defiance of the superintendent's instructions."

He said that the "key to a good police department is the abolition of the graft system and the dismissal of those responsible for failure to stamp it out long before I ever arrived on the scene."

Banister also warned that he has "no intention whatsoever of lessening my activities to clean up the filth that is existing in the New Orleans Police Dept. and my hope is in no way dimmed that the people of this city shall have its most important organ of government functioning in its interest."

Banister Is Where He Started

Guy Banister has begun investigating his first case as special, unpaid investigator for the grand jury.

It's the same case, he brought before to light more than four months ago, shortly before he was suspended as assistant police superintendent—the claim of two 19-year-old youths that confessions were beaten out of them by a quartet of police officers.

Here's the chain of events that has made a complete circle, starting and ending with the former FBI agent:

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FEB. 5 (Tuesday)—1 a. m., Dowling and Koch reach Asst. Supt. Banister.

FEB. 5—4 a. m. Banister orders release of the two youths because they have been held more than 72 hours without being charged formally. He also files in the FBI to see if civil rights have been violated.

FEB. 5—During the day, Supt. Dayries orders the police bureau investigation (FBI) to probe incident. Dr. Nicholas Chet-

Orleans Parish coroner, examines the bruises on the two youths.

FEB. 5—4 p. m. D'Angelo and Rodgers are re-arrested after the district attorney's office accepts burglary charges against them.

FEB. 6 (Wednesday)—Dist.

Atty. Hubert says he will investigate the alleged beating from every conceivable angle.

M. P. Chiles, special agent in charge of the local FBI office, says results of a preliminary investigation by his office will be submitted to the Justice Dept. in Washington, D. C. He says the U. S. Attorney has been consulted about possible civil rights violations.

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FEB. 13 (Wednesday)—Dayries says the FBI report on the beating will go to the district attorney when it is completed.

FEB. 15 (Friday)—The city attorney's office rules that Dayries does not have "authority to delegate to anyone else your authority to release a prisoner."

MARCH 1 (Friday)—Banister becomes involved in the "gun incident" in a French Quarter bar.

MARCH 3 (Sunday)—Banister is suspended, pending investigation of charges of misconduct.

MARCH 18 (Monday)—PBI report is sent to Dist. Atty. Hubert.

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APRIL 24 (Wednesday)—The grand jury again calls witnesses in the alleged beatings. Attorneys Dowling and Koch ask why Banister was not called as a witness.

APRIL 29 (Monday)—Grand jury again is reported considering the claims of the two youths.

MAY 8 (Wednesday)—Grand jury calls Ptn. Polito, is reported still considering the case.

JUNE 1 (Saturday)—Banister

returns to duty but immediately requests leave and says new duties are improper for No. Two man in the department. Dayries fires Banister for "open defiance."

JUNE 12 (Yesterday)—Banister is sworn in as grand jury investigator, after waiting three hours in jury anteroom.

Banister receives first assignment—explicit instructions to investigate only the D'Angelo-Rodgers case.

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NEW ORLEANS, LA

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Mayor Knows Of Police Graft, Says Banister

Guy Banister today accused Mayor Chop Morrison of knowing about a police graft system and doing nothing to stop it. The former assistant police superintendent accused the mayor in a talk before a luncheon-meeting of the Sertoma Club in the Monteleone hotel.

Mayor deLesseps S. Morrison is fully aware of the graft situation, Banister declared. "I told him."

He added that city officials from the lowest to the highest never did encourage a probe of the police department. "They do not want, now or never did want, an investigation of the police of this city," Banister declared.

"Why don't they want it? Because the facts will create an exposure of one of the most efficiently organized systems of graft that has ever attached itself to any law enforcement body in any metropolitan city in these United States."

Named Police Bribers

In a question and answer period following his talk, Banister charged that in December, 1955, he gave information to "the proper authorities" about persons who bribed seven policemen, but no attempt was made to indict the bribe givers.

In answer to a question on why he thought Mayor Morrison chose him to look into the graft system, Banister said:

"I guess I fooled the mayor if he thought he could use my name and my reputation as a hold-to-hide behind."

Banister also said the calling of 12 "Fifth Amendment" men before the parish grand jury marks a reopening of police graft charges for Graft Slant.

Banister was fired two weeks ago by police Supt. Provosty A. Davries for refusing to accept a change of assignment when re-

See BANISTER—Page 8

Banister
stored to duty after being suspended because of a French Quarter incident.

"The reason I was fired is that I refused to stop the investigation of charges that graft money was being collected by members of the police department," Banister declared.

"I can say that there has been no co-operation in these efforts to stop graft on the part of any one in authority which was not forced."

"Since he was fired Banister has been named special investigator for the Orleans parish grand jury without pay. He pledged in his address not to lessen his efforts to "clean up the filth that is existing in the New Orleans police department."

Banister said those who want the probe to continue are in position to force co-operation.

He said claims of high morale in the police department are a "game of semantics" that will not hoodwink the public. He then put the name of Det. Chief Harry Daniels at the head of a list of officers he charged failed to make arrests.

"I challenge you to find that our chief of detectives made a single arrest in 1956," Banister said. "I couldn't find it."

"One would think that he would accidentally stumble upon a case once in a while. The truth is that Harry Daniels has not indicated that he is capable of leading men and supervising their activities."

He said he found in his check of the performance records that about 11 detectives did nothing more than draw their pay in 1956.

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63 JUL 18 1957

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It's the same case he brought before to light more than four months ago, shortly before he was suspended as assistant police superintendent—the claim of two 19-year-old youths that confessions were beaten out of them by a quartet of police officers.

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Police Department
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**Jury May Swear
In Guy Banister**

The Orleans parish grand jury will meet Wednesday at 9 a. m. and will probably swear in Guy Banister as a special investigator.

District Attorney Leon D. Hubert Jr. would not comment Monday on what matters would be considered Wednesday, but he said no "routine" cases are scheduled for that session.

Office space for Banister, dismissed police assistant superintendent, will be discussed, Hubert said, but he declined comment on whether Banister may be assigned the alleged police beating of two 19-year-old youths, Louis D'Angelo and Richard Rogers.

Banister has volunteered to take the special investigator job without pay.

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Morrison Backs Dayries in Dismissal of Banister

Asserts It's Only Sound Position I Can Take

By JAMES H. GILLIS

Mayor deLesseps S. Morrison backed the action of police Supt. Provosty A. Dayries in dismissing assistant police Supt. Guy Banister as he alighted from a plane at New Orleans following a month's trip to the Middle East.

"It is the only sound position that I can take," Mayor Morrison said when interviewed at Moisant International Airport. "The decision was taken by Supt. Dayries and I think that it is incumbent that he act on his own."

Asked for comment on Banister's statement that the job which Dayries had offered him when he returned to duty from a three-month suspension was a "do nothing" position, Mayor Morrison replied:

"I don't want to comment on who's right and who's wrong. It is incumbent, since positive action has been taken, that Mr. Dayries be backed."

Regrets Action on Bill

The mayor expressed disappointment over the action of the Legislature in passing the Beason-Rau-Stumpf bill outlawing the city's sales tax on merchandise purchased in New Orleans but delivered outside the city's limits.

Morrison also lashed out at members of the House committee from New Orleans who voted to declare "nonfiscal" the city administration supported proposed constitutional amendments authorizing the issuance of water revenue bonds, bonding of Sewerage and Water Board millage and liening of property for drainage.

Morrison expressed relief that the Beason-Rau-Stumpf bill will not become effective until Jan. 1, 1958, and that the city will be able to collect approximately \$50,000 from the out-of-city sales during 1957.

"We've got some time to think

and look and see," the mayor said. "I still think that it is sound that we get some contribution from the people who use our services and pay nothing."

Scores 'Nonfiscal' Vote

On the action of some of the New Orleans members in the House in voting to declare the proposed Sewerage and Water Board constitutional amendments "non-fiscal," Morrison asserted: "I'm sure that in the next election a lot of these people will be out for covering canals and other essential work."

"The Old Regulars did not help us with this legislation, but some of their people promised to cover canals. Their failure to back the Sewerage and Water Board was very significant."

"We are already late in our planning of drainage projects. I haven't bought any of the arguments in favor of delay. On our Union Station and grade separation program we paid millions of dollars for delay."

"My decision is to back up Supt. Dayries in the action he has taken in the Banister case," Morrison said in discussing the Banister dismissal. "There is no other course one could sensibly follow in a disciplinary organization."

Given Full Responsibility

"When Supt. Dayries was appointed over two years ago, he was given full responsibility to operate the police department, despite implications which may have been drawn to the contrary. As an elected official, I am responsible to the people for all departments, including police. I am required to exercise general supervision over all of them, but I have given the department heads full authority to perform their jobs."

"The same is true in the police department. Although I have been accused, by implication, of overruling the superintendent (which I have the legal authority to do) the records will prove that this has never happened."

"I will make suggestions, requests, and should, in good prac-

tion, do so as mayor, but the final decision has been with the superintendent in each case. The Banister case can be no different, otherwise there could be no real discipline in the department. We cannot have two heads in any organization and function properly."

Comments on Cassibry

"Insofar as Councilman (Fred J.) Cassibry's suggestion of the chief administrative officer taking over the police responsibility is concerned, this would make no significant change, as I would still be, by law, responsible for his actions as well as Supt. Dayries. It would merely insert one more public official in the chain of command."

"It seems strange that this councilman always seizes the opportunity of my absence to blast my activities. He does this when I am not available to answer his statements. It is easy to continually criticize, and it always makes headline news when the police department is concerned. But criticism, without practical remedy, is useless."

"Insofar as pending police investigations are concerned, I am completely cold blooded about any of this activity. If anyone is found guilty of misconduct or of taking graft, he should get the full measure of the law, the sooner the better."

'Impartial Enforcement'

"I did, a few years ago, attempt to balance the good of the department against the bad. I was accused of defending the police. Be that as it may, at the very time that I was so-called 'backing the department' for the benefit of the morale of all its men, subsequent police convictions indicate that some of these men had the audacity at that very time to take graft. The sooner they are punished, the better it will be for the department and the city."

"Our policy will continue to be strict, impartial enforcement of all the laws and prompt and effective punishment of any proven police misconduct."

Morrison asserted that he had talked from New York over

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GUY BANISTER
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long distance telephone with city chief administrative officer David R. McGuire Jr. about the Banister affair and that he also had received newspaper clippings pertaining to it dated up to June 4.

Not Surprised—Banister
Banister, when told of the mayor's statement, asserted that: "I did not expect anything else."

He also said that Morrison's support of Dayries would not affect his plans to continue to tell why the police department has not been cleaned up, or on his work as a special investigator for the Orleans parish grand jury.

At the airport when Mayor Morrison and his traveling companion, Lawrence C. Vath, New Orleans business man, alighted from the plane were members of their respective families, friends and a number of city officials.

These included Mrs. Morrison and Mrs. Vath; two of the mayor's children, deLesseps S. Jr. and Corrine; Amelie Wogan, a child friend of Corrine; acting mayor Victor H. Schiro; police Supt. Dayries; Fire Supt. Howard L. Dey; property management director Victor L. Wogan Jr.; Maj. Gen. Junius W. Jones; city aviation director; Brig. Gen. Robert V. Maraist; city civil defense director; Marvin E. Thames, director of Isaac Delgado Central Trades school; Edwin I. Soule, secretary of the school; Robert E. Wall, executive assistant to the mayor; Glen Douthit, city public relations director; Winston C. Lill, assistant city public relations director; and Tommy Lupo, an active figure in recent political campaigns of the mayor.

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H. M. Edwards

Chep Backs Dayries Firing of Banister

No Other Course, Says Mayor

Mayor Chep Morrison today supported Police Supt. Provosty A. Dayries in the firing of Assistant Superintendent Guy Banister from the force.

Morrison, talking from the home of Mayor Robert Wagner in New York this morning, said: "My decision is to back up Supt. Dayries in the action he has taken in the Banister case."

"There is no other course that one could sensibly follow in a disciplinary organization."

Banister, informed of the mayor's position, said:

"Good, that's all. I did not expect anything else."

Won't Change Plans

Banister said Morrison's support of Dayries will not affect his plans to continue to tell why the police department has not been cleaned up and will have no effect on his plans to work as special investigator for the Orleans parish grand jury.

Dayries fired Banister Saturday, June 1, when Banister refused a new assignment as chief of planning for the department. The dismissed assistant superintendent was due to return to

city June 1 after a three-month suspension resulting from a bar disturbance.

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Mayor—

Banister Blast
Banister last Wednesday, in an address before the Young Men's Business Club, blasted the police department and its leaders and said his investigation of alleged graft-taking had to be stopped because it was so effective.

Morrison said today Dayries was given full responsibility for the police department and commented: "We cannot have two heads in any organization and function properly."

The mayor said records will prove that he has never overruled Dayries, although he has the legal authority to do so.

Morrison rejected a suggestion by Councilman Fred J. Cassibry that administration of the police department be taken from his office and turned over to chief administrative officer David R. McGuire.

Mayor's Statement

This was the mayor's statement:

"My decision is to back up Supt. Dayries in the action he has taken in the Banister case."

"There is no other course that one could sensibly follow in a disciplinary organization."

When Supt. Dayries was appointed, over two years ago, he was given full responsibility to operate the police department despite implications which may have been drawn

to the contrary.

"As an elected official, I am responsible to the people for all the departments, including police, and I am required to exercise general supervision of all of them. But I have given department heads full authority to perform their jobs. The same is true of the police department."

"Although I have been accused by implication of overruling the superintendent (which I have legal authority to do), the records will prove that this has never happened."

"I will make suggestions, requests, and should, in good practice, do so as mayor, but the final decision has been with the superintendent of police."

"The Banister case can be no different, otherwise there could be no real discipline in the department. We cannot have two heads in any organization and function properly."

"Insofar as councilman Cassibry's suggestion of the chief administrative officer taking over the police responsibility is concerned, this would make no significant change as I would still be, by law, responsible for his actions, as well as Supt. Dayries."

"It would merely insert one more public official in the chain of command."

"It seems strange that this councilman always seizes the opportunity in my absence to blast my activities. He does this when I am not available to answer his statement."

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"I did, a few years ago, attempt to balance the good of the department against the bad. I was accused of defending the police department. Be that as it may, at the very time I was so-called backing the police department for the benefit of the morale of the men, subsequent police convictions indicated that some of the men had the audacity at that very time to take graft.

"The sooner they are punished, the better it will be for the department and for the city.

"Our policy will continue to be strict, impartial enforcement of all the laws and prompt and effective punishment of any proven police misconduct."

First installment

Banister called his speech last Wednesday the first installment in a series of addresses about the police department. He has given no hint yet when his next speech will take place.

In his talk, he said when he was given the job of proving or disproving allegations of bribery against police, not one ranking officer from lieutenant up ever came forward with a clue, a lead or a suggestion.

He broke through this barrier of silence with statements to the press which "upset police officials" but succeeded in bringing men into his office with information about graft, he said.

Banister charged that when the investigation was stopped, "the slate was to be wiped clean."

Last week it was announced that Banister had offered to serve without pay as special investigator for the parish grand

jury and the jury accepted his offer.

The jury is considering reopening the police probe, it was reported.

Chep Sides With Dayries In Discharge Of Banister

Mayor Morrison said today his decision "is to back up Police Supt. Dayries" in the action he has taken in the Banister case.

Morrison called The Item long distance from New York. Dayries fired Guy Banister as assistant police superintendent last week. Morrison said "there is no other course I could sensibly follow."

Several days ago Morrison told The Item from Istanbul.

Dismissed Asst. Supt. Guy Banister when told of Morrison's comment said, "Good." made an okay sign with his fingers and walked into the office of District Atty. Hubert.

Turkey, that he would have to "hear both sides" of the Banister firing before coming to any decision.

HOWEVER, his statement today continues:

"When Supt. Dayries was appointed over two years ago he was given full authority to (See MORRISON, Pg. 4, Col. 5).

Morrison

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operate the Police Department, despite implications which may have been drawn to the contrary.

"As an elected official I am responsible to the people for all departments, including the police, and I am required to exercise general supervision over all of them.

"But I have given department heads full authority to perform their jobs. The same is true in the Police Dept.

"ALTHOUGH I have been accused, by implication, of overruling the superintendent (which I have the legal authority to do), the records have proved this has never happened.

"I will make suggestions and requests and it should be in good practice to do so as mayor.

"But the final decision has been with the superintendent in each case.

"The Banister case can be no different.

"Otherwise there would be no discipline in the department. We cannot have two heads in any organization and function properly.

"INSO FAR as Councilman Cassibry's suggestion of the CAO (Chief Administrative Officer Dave McGuire) taking over the department, this would be no significant change as I would still be responsible for his actions by law. It would only insert one more public official in the chain of command.

"It seems strange this councilman always seizes the opportunity of my absence to blast my actions. He does this when I am not available to answer.

"It is easy to criticize and I always makes headlines when I am in the Police Department. But criticism without practical remedy is useless."

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H. J. Edwards

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GUY BANISTER
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Charges Half-Truths Spoken By

Banister

Guy Banister, dismissed assistant police superintendent, today was charged with using "half-truths and innuendoes" in his speech before the Young Men's Business Club Wednesday.

Capt. Alfred A. Theriot, information officer for the Police Dept., also charged Banister had violated the police code of conduct while a member of the force.

In his Wednesday address, Banister had charged his probe of graft in the Police Dept. had been blocked, that not a single top officer of the department came forward to help and that lies on police corruption were kept locked and secret.

IN HIS REPLY today, Theriot declared that Banister himself had made a statement while act-

ing superintendent of police in May of 1956 that the police investigation "had gone as far as it could go."

Theriot also said that in December of 1955 Banister stated before the City Council that an organized graft system had ceased to exist in the department in May or June, 1955.

Banister, who at one time headed the probe into police graft, had waved a picture Wednesday showing locked files.

Theriot said the files always were open to authorized persons such as the FBI, the Orleans Parish grand jury and Police Bureau of Investigation.

Theriot said Banister made statements of policy in the Police Dept. even though the

"Code of Conduct" clearly stipulated that statements of policy must be approved by Police Supt. Dayries or Theriot's office.

"It is very evident, from his own statements to the press, that Mr. Banister would still be a member of the Police Dept., which he now has attacked with half-truths and innuendoes, if he had returned to duty last week un-

der conditions approved as a subordinate officer of the superintendent of police."

Banister was suspended from the department March 3 after an alleged gun-waving incident in the Old Absinthe House.

He was restored to duty on June 1 but stripped of powers. Banister issued a statement then attacking the department, and Dayries fired him.

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Threats Told By Banister

Dismissed Asst. Police Supt. Guy Banister said today he is being badgered, and threatened nightly by anonymous telephone callers.

He said he did not regard the threats as immediately dangerous "but, if you know psychology, these cranks sometimes build up their courage to do something."

Banister also reported the lid from his garbage can was stolen during the night, and that a sign saying "clean rest rooms" taken from a filling station was thrown on his lawn.

Banister, who resides at 6161 Canal Blvd., is moving to a new home early next week.

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Banister Tells Half Truths in Attack--Theriot

while acting superintendent that he (Banister) stated to the press in a weekly conference that his investigation into the graft conditions had gone as far as it could go. Theriot added that while in the department Banister made policy statements although they were not cleared by Dayries or Theriot. This was in direct contradiction of a policy on conduct adopted by the police department, he said.

Police information officer Capt. Alfred A. Theriot lashed out today at dismissed assistant superintendent Guy Banister, accusing Banister of using "half truths and innuendoes" in his attacks on the department.

In a speech Wednesday, Banister flayed the police department and said his probe of graft within the department was so effective "it had to be stopped."

Files Available
Referring to Banister's charge that files on the police graft system were locked up in Supt. Probsty A. Dayries' office, Theriot said:

"Despite light security placed on the files on June 1, 1956, they were made available to the police bureau of investigation. They are also available to federal agents, the district attorney's office as well as the Orleans parish grand jury.

He (Banister) knows that these files were secured very rigidly to keep unauthorized persons out of them and that although for a time they were in the superintendent's office, they were returned to the FBI office months ago.

Dayries Upheld
Theriot, in a three-page statement handed to reporters, added that Banister knows that Dayries had taken "positive action" against officers named in the graft probe.

Thus far, he continued, the city civil service commission has upheld all of Dayries' decisions.

"Mr. Banister knows that in December, 1955, he stated before the city council, that an organized graft system had ceased to exist in the department in May and June of 1955.

This was at the time, or shortly after, that Supt. Dayries resumed command.

His Statements
He knows that, in May, 1956,

COUNCIL BACKS DAYRIES, WON'T HEAR BANISTER

Refuses to 'Reopen' Police Department Probe

(For actions by the city council on other matters see Pages 5, 16 and 27.)

The city council Thursday declined to hear dismissed Assistant Police Supt. Guy Banister's charges against the police department or to "reopen" an inquiry into the operations of the department.

On the other hand, it passed a motion of confidence in the "integrity" and "ability" of Provosty A. Dayries, who had dismissed Banister after Banister declined to accept an assignment in charge of planning following his return to duty from a three-month suspension resulting from an alleged grand-drawing incident in the Vieux Carré.

The motion that the council meet at 10 a. m. Friday to hear Banister answer questions pertaining to his charges of inefficiency and incompetence in the police department was introduced by Councilman James E. Fitzmorris Jr. and failed to receive a second.

The motion that the council "reopen the entire matter concerning the operation of the police department" and invite Banister, Dayries and Mayor deLesseps S. Morrison "and other interested people" to appear for questioning "with a view of passing legislation to clear it up" was offered by Councilman Fred J. Cassibry. It likewise failed to receive a second.

Confidence Voted Dayries

The motion of confidence in Dayries, which also pledged to him "undivided support," was offered by Councilman Vice President Walter M. Durouff and seconded by Councilman Henry J. Curtis. Curtis, who voted for it, was Council President Glenn P. Clasen and Councilmen Paul

V. Burke and Fitzmorris. Cassibry voted against the motion, explaining that he would have voted for it if the motion had been confined to confidence in Dayries' "honesty and integrity."

Councilman Victor H. Schiro, in his capacity as acting mayor, is barred by the city charter from sitting as a member of the council.

The council's actions followed a debate of some two hours during which city chief administrative officer David R. McGuire Jr. took the microphone to request the council not to give Banister a "forum" from which to deliver "innuendo and generalizations" directed at the police department.

The debate was touched off by Fitzmorris, who, speaking on a point of personal privilege, urged the council to hear Banister. Fitzmorris is a consistent supporter of the city administration.

Banister Dismissal Backed

"On June 1, Supt. Dayries dismissed Mr. Banister from the police force," Fitzmorris related. "Since that time, I have studied the circumstances surrounding this dismissal. It is my conscientious conclusion that Mr. Banister's refusal to accept the duties assigned to him on return from suspension was unpardonable. Such insubordination cannot be condoned from any police officer whatever may be his rank and position. The superintendent had no other alternative."

Chief Administrative Officer

Continued on Page 12, Column 1

McGuire is to be commended for his frank and forthright affirmation of the superintendent's action. As far as I am concerned, Mr. Banister's dismissal should be final and irrevocable.

"However, I believe that the serious charges made by Mr. Banister against the police department demand a thorough investigation by the council."

"Mr. Banister had said that our police force is corrupt, incompetent and inefficient. This is a blanket indictment. I think that this council should sit as a committee of the whole as often and as long as necessary to

hear Mr. Banister and any other persons possessing knowledge of the alleged conditions in the police department.

Sees Doubt, Confusion

"So much doubt and confusion about our police department is being generated by these grave charges that we must ask that Mr. Banister appear before us and present detailed proof."

The people of New Orleans have a right to know all of the facts concerning the conduct of their public affairs.

"I propose that a special meeting of the council be called at 10 o'clock tomorrow and that Mr. Banister be invited to attend and present a specific report on the conditions about which he has been speaking."

It was nearly two hours later before Fitzmorris got around to putting his suggestion into the form of a motion and in the intervening time the other members of the council had their say.

Even when he did introduce it and it failed to get a second, following a statement of clarification by Fitzmorris, Cassibry said that he would have seconded it if he hadn't thought that the intent was to cross-examine Banister for having "the effrontery to criticize the police department."

Spanking Not Intended

Fitzmorris assured Cassibry that the purpose was not to bring Banister in "to give him a spanking."

After Fitzmorris made his opening statement, Cassibry asserted that the council previously had been advised that "if we don't clear up this matter once and for all we are going to be back where we were before." He urged that "we get to the bottom of this thing."

Fitzmorris agreed that "We've got to find out if our police department is so incompetent and inefficient that it can't do the job. I believe we've got to start somewhere. I believe that right now the public believes that everything in the police department is bad."

Says Council Should Check

Clasen inquired: "If there are any charges to be made, where would that wind up, with the grand jury, would it not?" Fitzmorris replied that he

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didn't know, but that if there was any "corruption," then that is what the grand jury is for." He hastened to explain that he didn't endorse the idea that the police department was "corrupt and inefficient," but that he thought that the council should check into the matter.

Cassibry expressed agreement with Fitzmorris, adding that the council should not concern itself only with alleged "crimes" committed by police officers, but with administrative matters as well.

"If we go on the theory that people who are indicted are innocent, then certainly Mr. Banister ought to be reinstated with all back pay," Cassibry said, reminding the council that no charges had been preferred against Banister by the district attorney's office or the grand jury as a result of the Vieux Carre incident which was the cause of his suspension.

Curtis Sees Insubordination
Cassibry asserted that he could not condone Banister's action in refusing the duty assigned him by Dayries, but that Mr. Banister may have been driven into a position where he defied his superior. He added that Dayries should not have given Banister "clerical duty" and that "you can't condone the mayor for leaving the country and leaving Mr. Dayries with the idea that he was going to make a clerk out of Mr. Banister."

"It's been a big mess from the beginning and all of us ought to get together and clean it up," said Cassibry.

Curtis expressed disagreement with Cassibry. He said that Banister "was so insubordinate that his superior had no alternative than to dismiss him."

"In view of that why should we listen to Mr. Banister?" inquired Curtis.

He conceded that Banister had a "creditable FBI record," but asserted that he was not aware that Banister is "a recognized police expert" as Cassibry had credited him with being.

Opposes Hearing Banister
Expressing opposition to hearing Banister, Curtis said, "I don't think that we are going to accomplish anything and I think we can do a great deal of harm. Nobody has questioned and cer-

tainly nobody ever will question the 100 per cent integrity of the superintendent."

All members of the council could remember when prostitution flourished openly in New Orleans, when slot machines were in "every barroom" and many other places, and where there were racing handbooks in the open where people placed bets, Curtis said. He described most of the members of the police department as "hardworking, conscientious people who, unfortunately, are underpaid."

Fitzmorris pleaded that he was only "trying to give to the New Orleans police department once and for all a clean bill of health," adding that "in my judgment there is not a more conscientious or a more honest individual than the superintendent of police."

McGuire Says Back Dayries
Describing the superintendent's job as a hard one, Fitzmorris asserted that he did not think that there was a man in the council chamber who would be willing to accept Dayries' job for the \$933,333 a month salary paid him.

At this point, McGuire advanced to the council to say that "the best way this council can help the police department is to back up the superintendent of police."

Banister had served notice of his intention to tell his story to civic clubs in "serial" form, but it would be "a disservice if this council gave Mr. Banister a sounding board here," McGuire continued. Besides, Banister has been employed by the grand jury and should make his reports to that body, he said.

"I feel that if this council gives a hearing to Mr. Banister,

it will be a slap in the face of the superintendent of police," McGuire concluded.

Following McGuire's statement, Cassibry asserted that it appeared to him "that the administration and some of the people here" had never admitted that graft had existed in the police department, adding that "the things that Mr. Banister uncovered are not generalization or rumor."

Burke reminded the council that on the preceding day Banister had addressed "a packed house" and the Young Men's Business Club luncheon and ex-

pressed the belief that no restrictions had been imposed by anyone on Banister on what he had to say.

Mr. Banister as of yesterday was not employed by the police department and if he had any information to tell, then that was the time to do it," remarked Burke.

The Orleans parish grand jury had investigated allegations of wrongdoing by police officers and even the day before the conviction of one was overruled by the appellate division of the criminal court," Burke added.

Most of the allegations of administrative wrongdoing which had been made against police officers were criminal in character, as well so that if an officer had done something which justified his dismissal from the department he had committed a crime in the process, Burke said.

Says Stop Harassing Police

He pointed to the latest report by the collector of internal revenue on gambling tax collections in Orleans parish for April totaled only about \$1660. Since the tax is on 10 per cent of gambling revenues, total gambling revenues for the month would have amounted to only about \$16,000. He told the council "it is generally accepted that these fellows usually play straight with Uncle Sam."

"The positive thing to do now is to stop harassing these policemen," said Burke. "It is time for the people of New Or-

leans to rise up and say: 'We are behind this police department.'"

The people are concerned about burglaries, about assaults on our women and children and the police department should be relieved from harassment and be allowed to concentrate on such matters," said Burke.

Clasen asserted that he was not prepared to pass judgment on the Dayries-Banister squabble, but that it "will make a rather juicy political subject." "Every attempt is going to be made to degrade the police department and in a sense to use it as a weapon to defeat the present city administration," Clasen said.

He added that Banister, as special investigator for the grand jury, will certainly have

every opportunity to prove the statements he made yesterday, but expressed the belief that "our law enforcement is better today than it has been in many years." Pointing to gambling operations outside the Orleans parish, Clasen asserted that "unless it's on a sneak basis, you have very few such operations in the city of New Orleans."

Council Won't Call Banister; Backs Dayries

City councilmen today turned down a proposal for a public hearing on Guy Banister's charges against the police department and instead gave police Supt. Provosty A. Dayries a vote of confidence.

The motion for a public hearing, to which Banister would have been invited, was made by council member James E. Fitzmorris Jr. and died for lack of a second.

The vote on councilman Walter Duffoure's motion for an expression of confidence in Dayries was 5 to 1—with only council member Fred J. Cassibry dissenting.

Cassibry said he did not question the superintendent's sincerity and integrity but he could not express confidence in his administrative ability.

Two-Hour Debate

Banister, dismissed superintendent of police, made a strong speech yesterday before the Young Men's Business Club, attacking the police department.

The council vote on Duffoure's motion came after two hours' debate during which Fitzmorris urged the council to "get to the bottom of these charges against the police department" by inviting Banister to appear before the council at 10 a. m. tomorrow.

David McGuire, chief city administrative officer, urged the council to not give Banister a "forum" for his "innuendo and generalizations" against the police department.

Had to Be Stopped

Councilman Henry Curtis said the council should not "dignify" Banister's charges by listening to them.

Banister charged yesterday his investigation into alleged police graft had to be stopped because his methods were so effective.

in favor of Fitzmorris' suggestion but later said he became convinced during the discussion that Fitzmorris' intention was to "call Mr. Banister in and cross question him on how he had the effrontery to make these charges."

'That Isn't So'

Fitzmorris snapped: "Mr. Cassibry, that isn't so. I would not call anybody in here to give him a spanking."

Curtis contended the council had nothing to gain by "listening to an ex-employee who has been dismissed for insubordination come in here and air his grievances unless he has something concrete to say."

Banister's statements, said Curtis, have been "vague and general allegation" not worthy of further consideration.

Cassibry blasted statements that Banister's charges were "rumor and allegation."

Cassibry said: "These are the same arguments I have heard at this council table and from Mayor

See BANISTER—Page 4

Banister

(Clap) Morrison since the police investigation began.

"They are the same arguments that were given in 1955 when we were told a citywide system of organized graft existed in the police department."

Asks Files Opened

Councilman Glenn P. Clasen said he rejects Banister's statements that corruption now exists in the police department, but said the police bureau of investigation files ought to be opened to Banister so he can present information to the grand jury.

Banister yesterday took on duties as special investigator for the grand jury.

Clasen and Cassibry argued at one point after Cassibry inferred the council was showing a lack of interest in the police situation.

People Concerned

"The people of New Orleans are concerned about the police situation," Cassibry said. "Some 500 of them turned out yesterday to hear Mr. Banister. They are concerned, whether this council is or not."

Clasen retorted: "You are being very unfair to this council."

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he will go out and tell his serial story. It would be a great mistake for you to allow him to come in with his innuendo and generalizations as he has in the past.

Slap in Face

"If he has any concrete information on any bad apples, I believe and I know Mayor Morrison believes, he should give this to the grand jury."

McGuire said a council meeting hearing for Banister would be a "slap in the face to the superintendent of police."

"Dayries is an honorable man doing a good job," he said.

Curtis said that no one has ever questioned the 100 per cent integrity of the superintendent.

Banister said today he has new evidence to turn over to the Orleans parish grand jury if it reopens the police probe.

He was engaged yesterday as special investigator for the grand jury, to serve without pay.

He would not reveal the nature of the new evidence which he said he possesses but he said it would be in connection with the investigation into alleged police graft and other police irregularities.

Banister also said this morning he will make available to the grand jury transcripts and complete information on cases he has presented to other grand juries in the past, in connection with the police investigation.

Dayries fired Banister last Saturday when Banister complained publicly about a new assignment as chief of planning.

Banister was supposed to return to duty Saturday after a three-month suspension in connection with a barroom disturbance.

from Supt. Dayries as "undependable."

Proposes Hearing

Cassibry at the end of the meeting introduced a motion for a hearing at which Banister, Mayor Morrison and any other interested persons would give recommendations for "straightening out the police department."

It died for lack of a second.

All councilmen with the exception of Cassibry praised the "sincerity and integrity" of Dayries. Fitzmorris said he did not intend for his motion to imply any criticism of Dayries.

Cassibry, however, said he was not prepared to pass on the administrative ability of Dayries.

Made Some Progress

"The colonel has made some progress in the police department but I have not been too impressed by any statistics I have seen on law enforcement since he has been superintendent," he said.

"I don't lack confidence in Mr. Dayries' honesty, sincerity and integrity, but I do question his administrative ability," he added.

Burke asserted that the continued investigation and "harassment" of the police department is cutting down on efficiency of the department in law enforcement.

Had 'Sounding Board'

McGuire speaking of Banister said:

"Mr. Banister already has his sounding board before the civic groups of this community."

"He has already announced

ci. We are as much interested in the police department as are or more. You are still talking in generalities and not saying a word."

When Fitzmorris made his public hearing proposal, he said:

"Banister's charges are a blanket indictment of every person in the police department and the council must take this action (hold a hearing) to clear the clouds. Otherwise there will be continued unrest, continued criticism and continued accusations."

He expressed approval of the dismissal of Banister and described his refusal to take orders



—Photo by The Times-Picayune.
GUY BANISTER
Addressing YMBC.

BANISTER FLAYS POLICE IN PROBE

Says Check So Effective Had to Be Stopped

Fired police official Guy Banister blistered the police department's high command in an address to the Young Men's Business Club Wednesday and declared that his own probe of alleged police graft became so effective it "had to be stopped."

In what Banister had called the first in a "serial story" on "why the police department has not been cleaned up," the former assistant superintendent rapped at police Supt. Provosty A. Dayries, ex-Supt. Joseph L. Scheuering and police majors, captains and lieutenants for what he said was their failure "to furnish a single lead or suggestion."

Banister spoke only minutes after the Orleans parish grand jury announced the ex-FBI agent had been hired, without pay, to serve the grand jury as a special investigator.

Dayries has also been invited to address the club next Wednesday. The police superintendent said he would answer the

invitation Thursday.

In his address, Banister declared that, "Not a single police supervisor, captain or lieutenant came forward with an offer to help" in his investigation of alleged police corruption.

No Leads Furnished
"Elsewhere," he said, "crooked policemen are hated by honest policemen."

Banister continued: "The then-superintendent of police (Scheuering), who was the former chief of detectives; the then assistant superintendent of police (Dayries), majors, captains and lieutenants, failed to furnish a single lead or suggestion leading to the solution."

Banister declared that the tactics he employed while conducting his probe were calculated to encourage "the little men, the victims of the system, to come into my office with the information needed, and which they had."

Says Probe Stopped
"It was effective, as tactics. In fact, it was so effective that the police investigation had to be stopped."

The result, said Banister, was that at a time when he was able to make recommendations to the superintendent or dismissals and when the grand jury had started to return indictments, the investigation was ended.

Banister also criticized the handling of the files prepared by his police bureau of investigation. These files, containing over 230 cases, he said, were locked shut in three ways and then were "taken over to the superintendent's office and locked in his vault."

Later, in answer to a question from the floor as to whether the files are available to the pub-

Continued on Page 6, Column 2

Continued from Page 1

lic Banister said, "They can be kept from the public just as long as they want to."

Closure of these files, Banister said, "meant that facts of the involvement of any officer in that graft system could not be taken into consideration when he was up for promotion, special assignment or raise in pay. The slate was to be wiped clean."

Makes Recommendations
He made these recommendations:

"Force the graft system investigation to a legal conclusion.

"Choose your policemen more carefully.

"Pay your policemen a living salary after they have earned it.

"Work your policemen harder.

"Dismiss your policemen quicker if they do not live up to the requirements of duty.

"Then, train those left more thoroughly."

Will Continue Working
He added: "In the meantime I shall continue working."

Banister was suspended from duty for three months because of

an incident in a French Quarter bar was ordered to new duties Saturday and on refusing the new position was fired by Dayries. Of this, Banister said:

"Had I accepted the last assignment given me by the superintendent in defiance of the mayor's order and limited my actions strictly according to his (Dayries') orders as given, I would be as much in violation of the purposes and intent of the law as he is."

With respect to Mayor deLesseps S. Morrison, Banister said the mayor has indicated that on his return from the Near East (due Monday) that the mayor "wanted to listen to both sides."

He said it was his interpretation of the mayor's assignment to him that it was "to prove or disprove the charges of public bribery, levelled at so many members of the department and to train personnel."

Obstacle of Silence

As a result, said Banister, he owed no "loyalty" to the department in that role and "there was never a thought that the position taken would be subordinate to any other official."

"Always," he said, "effort to complete the work met the

*Police Department
New Orleans*

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EXRS. FILES

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JUN 27 1957

Who's To Succeed Banister? 3 In Line

BY FRANKLYN HAY

Who will get Guy Banister's job as assistant superintendent of police—if Mayor Morrison does not reinstate him?

The halls at 2700 Tulane Ave. are humming with several answers.

Three men are mentioned most:

MAJ. ALBERT BLANCHER, deputy chief and police department secretary.

MAJ. WILLIAM McNAMARA, supervisor of police districts.

CAPT. ALFRED THERIOT, police department information officer.

It may surprise outsiders, but many people at Police Headquarters believe that Theriot, a former police reporter, leads the list.

HE HAS gained in authority since Col. Provosty Dayries became superintendent and Dayries relies on him heavily as a trouble shooter and adviser.

But Blancher also has risen in power during the Dayries administration.

As the rift between Dayries and Banister widened, Dayries more and more turned to Blancher as sort of an unofficial assistant superintendent.

McNamara, a leader in professional peace officer organizations, has strong political friends.

However, there is also a re-

Police

(CONTINUED FROM PAGE 1)

port that both Mayor Morrison and Dayries would like to leave the assistant superintendent's post unfilled.

THIS OBSERVERS say would prevent wounding the feelings of Crescent City Democratic Assn. ward leaders who are divided in their support of the three officers.

Dayries has publicly said he thinks the police force needs streamlining and fewer department heads.

Other talk in the corridors at the Criminal Courts Bldg. is that Guy Banister will eventually be superintendent of the New Orleans Police Department.

Still more talk is that there will soon be two jobs to fill: that Dayries will resign and two outsiders will be brought in to head the strife-ridden New Orleans police department.



MAJ. McNAMARA



MAJ. BLANCHER



CAPT. THERIOT

File 67-1

J.S. Rogers
 Police Dept,
 NEW ORLEANS ITEM
 NEW ORLEANS, LA.
 6/6/57
 Page 1 Cols. 1 & 2

~~GUY BANISTER~~
 FORMER SAC
~~ALBERT BLANCHER, NA~~
~~WILLIAM McNAMARA, NA~~

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EX 35

Banister Says Cop

Probe Tactics Too

Effective

Guy Banister charged today the police investigation "had to be stopped" because his tactics in obtaining information about graft were so effective.

The dismissed assistant police superintendent said files containing information on more than 230 cases in

connection with the probe were locked in the office of the police superintendent and added:

"The slate was to be wiped clean."

Banister, making his first public appearance since being fired by Supt. Provosty A. Dayries last Saturday, spoke before members of the Young Men's Business Club at the Roosevelt hotel.

About 300 persons attended the meeting. With space originally available for 250 chairs, waiters brought in 50 more places as the room filled.

Harry Cabral Jr., YMBC president, announced that Dayries has been invited to appear before the club next Wednesday. He said Dayries will inform Cabral by tomorrow whether he will speak.

'Wall of Silence'

In what he calls the first of a series of disclosures on "why the police department has not been cleaned up," Banister said he had to break through a wall of silence from ranking officers to get facts on a system of graft.

He said the very press statements for which he was called defiant and which "upset police officials" were calculated to bring the "little man, the victims of the system" into his office with information.

'Effective Tactic'

Banister added: "It was effective as a tactic in fact, it was so effective that

the police investigation had to be stopped."

In a strong attack on the police department and its administration, Banister charged the public information officer of the department "outranks every other member of the department except the superintendent."

Without mentioning Capt. Alfred Theriot, public information officer, by name, Banister added: "He actually dominates in shaping the policy of the department and if he wishes to do so, he can become superintendent in fact."

Councilmen Attend

Two city councilmen, James E. Fitzmorris Jr. and Fred J. Cassibry, attended the meeting. They heard Banister assert Dayries was defying Mayor Chep Morrison by dismissing Banister. He declared:

"Had I accepted the last assignment given by me by the superintendent in defiance of the mayor's orders and limited my action strictly to his orders as given, I would be as much in violation of the law as he is."

Other Charges

Banister also charged:

1. One captain he recommended be dismissed because of his connection with a graft system not only was not dismissed but was promoted to major, police supervisor.

2. New Orleans has no police department but "independent duchies stitched to

See BANISTER—Page 16

Banister—

gether into a semblance of an organization by the flimsy threads of amiability, live and let live, and let's keep our uniforms neat."

He accepted the challenge of proving or disproving allegations of bribery without promising any loyalty to the police department or its members and "it was soon seen there could be no loyalty without accepting corruption, incompetence, inefficiency and cover-up."

'Obscene Loyalty'

"Always, efforts to complete the work met the obstacle of complete silence on the part of ranking police personnel, a form of loyalty that is not only criminal but positively obscene," Banister said.

"Not a single police supervisor, captain or lieutenant came forward with an offer to help. None suggested a single lead."

"Elsewhere, crooked policemen are hated by honest policemen. Crooked policemen blacken the reputation of honest policemen."

No Single Lead

"The then superintendent of police, who was the former chief of detectives, the then assistant superintendent of police, majors, captains and lieutenants failed to furnish a single lead toward the solution."

"An order was issued requiring ranking members to report on their past efforts to break the graft system. No help was received, and in fact nothing was received except some of the weirdest excuses ever encountered—excuses that were insulting."

Raid Cited

Banister said that after a

Police Department
Meeting

NEW ORLEANS STATES
NEW ORLEANS, LA.
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67 JUN 28 1957

raid on the home of convicted lottery operator Lionel Dominguez in February, 1955, as a result of which a list of names of police personnel was found apparently a payoff list. It was the duty of all policemen to come forward with any information they might have.

Certainly, this was true of the high officials. Duty required them to know. None came forward.

Victims of System

After commenting that this tactic in getting information from little men and victims of the system was so effective the probe had to be stopped, Banister added:

"It (the tactic) had resulted in securing so much information that the grand jury had just gotten started to returning indictments and I was able to lay on the superintendent's desk recommendations for dismissal of ranking police officers."

Those who could be sacrificed went out of the department through dismissal or retirement. Others stayed. I recall the case of one captain on whom a recommendation for dismissal was made because of his connection with the graft system.

Promoted Instead

He was not dismissed but was promoted to a major.

The investigation was ended in June 1956. The superintendent ordered me to other duties. Such good work was done, but no one of the agents of the police bureau of investigation was permitted to have free access to the files.

The files, containing over 230 cases, we had succeeded in preparing, were locked, not only with the ordinary file cabinet lock but a staple was bolted to the top and a bar dropped through the drawer handles and the bar then secured with a padlock.

Locked in Vault

Shortly after this, file cabinets were taken over to the superintendent's office and locked in his vault.

The file cabinets contained index cards, which meant that the facts of the involvement of any officer in that graft system could not be taken into consideration when he was up for

promotion, special assignment, or raise in pay.

The slate was to be wiped clean.

Banister gave these as his recommendations:

- 1. Force the graft system investigation to a legal conclusion.
- 2. Choose policemen more carefully.
- 3. Pay policemen a living salary after they have earned it.
- 4. Work policemen harder.
- 5. Dismiss policemen quick-

ly. If they do not live up to requirements of duty.

6. Train those left more thoroughly.

Free Hand Promised

Banister said when he was hired by Mayor Clegg Morrison in January 1955, to prove or disprove charges of bribery, he pledged political loyalty to no one and was assured he would have a free hand.

There was never a thought that the position taken would be subordinate to any other police official within the limits of the assignment given me.

Fired Saturday

Banister was fired by Dayries Saturday for refusing to accept nonadministrative duties at the end of a three-month suspension resulting from a bar disturbance.

Out of Payroll

The former head of the police bureau of investigation was cut off the city's payroll yesterday by chief administrative officer David E. A. McGuire, Jr., who praised police Supt. Dayries for his action in firing Banister.

On Saturday, Banister issued a statement refusing to take over as director of planning and research for the department while still carrying the title of assistant superintendent.

Under the proposed new assignment, he would have had no administrative power and would not have succeeded Dayries as acting superintendent in Dayries' absence.

Raps Assignment

He called the assignment "preposterous, untenable."

City councilmen are scheduled to discuss the Banister firing at the weekly meeting tomorrow. Discussion of the incident was referred yesterday at the council's weekly conference.

Banister was suspended March following a barroom disturbance in the French Quarter. A bartender claimed Banister pulled a gun during an argument.

The district attorney refused to accept charges against Banister.

Following the suspension Mayor Morrison stated that Banister would return to the department as assistant superintendent.

But Dayries, who said he had favored firing Banister, told newsmen that Banister would not return with the powers he formerly had as the second-in-command of the department.



GUY BANISTER, dismissed assistant superintendent of police, is shown today as he addressed the Young Men's Business Club shortly after the Orleans parish grand jury accepted his offer to act as a special investigator.

Reopening Of Graft Probe Seen

Dismissed assistant police Supt. Guy Banister was engaged as a special investigator for the Orleans parish grand jury today.

Jury foreman Marc Antony said Banister's duties would be spelled out at the jury's meeting next Wednesday, but added there is a

Guy Banister, addressing the Young Men's Business Club today, charged his investigation of police "had to be stopped" because his probe was too effective. (Details on Page 1.)

good probability he would reopen the probe of alleged police graft and corruption.

Appointment of Banister was announced as the former head of the police bureau of investigation launched an attack upon the department and its top-ranking officers.

Services Offered
Antony said Banister offered his services to the jury without pay.

The acceptance of Mr. Banister's offer should in no way be construed as a reflection on the office of the district attorney, the police bureau of investigation, or any other public official, Antony said.

"We have felt for some time the need for the services of a trained investigator to assist in gathering information in certain cases, and Mr. Banister's offer provides the solution.

Close Co-operation
"We expect that Mr. Banister will be working in close co-operation with District Attorney Leon D. Hubert Jr. and his staff, as well as other public agencies, federal as well as municipal.

Simultaneously, Hubert said his office will co-operate with the grand jury, the police bureau of investigation and Mr. Banister, and anyone else who has evidence to offer in every respect to the end that the proper administration of the crim-

inal laws can be achieved.

"This has been our consistent policy in the past and it will continue.

Banister's appointment is not without precedent.

Former assistant Supt. William Maher was named a special jury investigator under the administration of Supt. Adair Walters.

Surprise Witness

Banister went before the jury as a surprise witness this morning carrying a folder marked Fifth Amendment Police.

This apparently was a reference to a number of New Orleans officers who have invoked constitutional immunity in refusing to answer questions asked by the federal grand jury in its probe of unreported police incomes.

Antony said the jury outlined the broad general scope of Banister's duties today.

"We will get more specific at our next meeting," he added. At that time Banister probably will be sworn in as the jury's special investigator, he said.

Antony said Judge Bernard J. Bageri to whom the jury reports had approved the appointment.

Among the cases Banister probably will investigate, the foreman said, is the probe into the alleged beating of two youths by four officers.

Antony said Banister would be retained until he finishes

See JURY, Page 4

Jury

the work he has been assigned to do.

Banister was fired last Saturday after he refused to accept the role of planning director for the department, while retaining the title of assistant superintendent.

Followed Suspension

The job was created upon Banister's return to the department following a three-month suspension for an alleged barroom disturbance in the French Quarter.

Banister called the job "preposterous, untenable" and work for a junior officer.

Banister previously headed the P.E. which charged that scores of officers had been involved in a system of graft within the department.

BANISTER

GIVEN

GRAND

JURY JOB

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. Nease	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

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GUY BANISTER
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Banister

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came to the department at Mayor Morrison's request, his assignment was "to prove or disprove the charges of public bribery leveled at so many members of the department, and to train personnel."

He said he at first thought he could complete the job in a short time. In spite of the advice and warning from friends who are professional police officers, that could not succeed because the few Orleans Police Dept. was controlled by an organization that could not be broken.

He said he soon learned that he could offer no loyalty to the police department or members of it.

"IN FACT, IT was soon seen that there could be no loyalty without accepting corruption, incompetency, inefficiency, and over-up," Banister said.

"Always, efforts to complete the work met the obstacle of complete silence on the part of ranking police personnel, a form of loyalty that is not only criminal, but positively obscene. They loyalty should be to the ideals of duty and service in law enforcement.

"Now they are taking the 14th Amendment!"

"NOT A SINGLE police supervisor, captain or lieutenant came forward with an offer to help. None suggested a single aid."

"Elsewhere, crooked policemen are hated by honest policemen. Crooked policemen blacken the reputation of honest policemen."

Banister said that any captain or major on the force could have exposed as much graft as he did if they had desired to do it.

"Even one captain could have laid havoc with the organized graft system, known and later proved to exist," he said.

"IT IS WITHOUT doubt a reason Detective Lionel Hernandez was never made captain, he very minimum requirements of duty and responsibility a major should have compelled him to have made many investigations and have reports available when someone called

along who could get the indictments needed.

"No major has such files. An order was issued requiring ranking members to report on their efforts in the past to break the graft system."

"No help was received, and in fact, nothing was received except some of the weirdest excuses ever encountered—excuses that were insulting."

BANISTER CHARGED that the New Orleans Police Dept. is not a police department.

"You have some independent duchies stitched together into a semblance of an organization by the flimsy threads of availability, live and let live, and let's keep our uniforms neat," he said.

Banister said many of his press releases were "carefully planned" to encourage victims of the alleged graft system to come to him with information.

"It was so effective that the police investigation had to be stopped," he said.

"It resulted in securing so much information that the grand jury had just gotten started to returning indictments and I was able to lay on the superintendent's desk recommendations for dismissal of ranking police officers."

"Those who could be sacrificed went out of the department through dismissal or retirement. Others stayed."

"I RECALL THE case of one captain, Capt. Joseph Guillot, on whom a recommendation for dismissal was made because of his connection with the graft system."

"He was not dismissed, but was promoted to police supervisor, a major."

Wrapping up his address, Banister urged immediate completion of the probe of alleged graft.

He also recommended:

- 1. More careful screening of police candidates.
- 2. Better pay for policemen.
- 3. Harder work by policemen.
- 4. More thorough training of officers.
- 5. Quick dismissal of officers who fail to live up to the requirements of duty.

BANISTER SAID he will continue to work to expose defects in the department "if for no other reason, in order to protect those who have aided and as-

sisted in going as far as we have.

"Had I accepted the last assignment given me by the superintendent, in defiance of the mayor's order, and limited my actions strictly according to his orders as given, I would be as much in violation of the purpose and intent of the law as he is," he said.

Banister Blasts Police Leaders, Demands Probe

Dismissed Asst. Police Supt. Guy Banister took the offensive today, blasting top police officials and urging completion of the probe of alleged police graft.

A speech to the Young Men's Business Club, he also said there was not a single high-ranking police officer who offered aid in his investigation of the department.

Banister charged that files on his investigation were double-locked after the probe was prematurely declared ended, and that "the facts of the involvement of any officer in that graft system could not be taken into consideration when he was up for promotion, special assignment or raise in pay."

"THE SLATE was to be wiped clean," he said, and offered YMBC members a picture of two locked and barred files to back up his claim.

"The Item sued to open these files," Banister said.

"Any testimony during that suit that the files were open is perjury in fact, if not in law," he said.

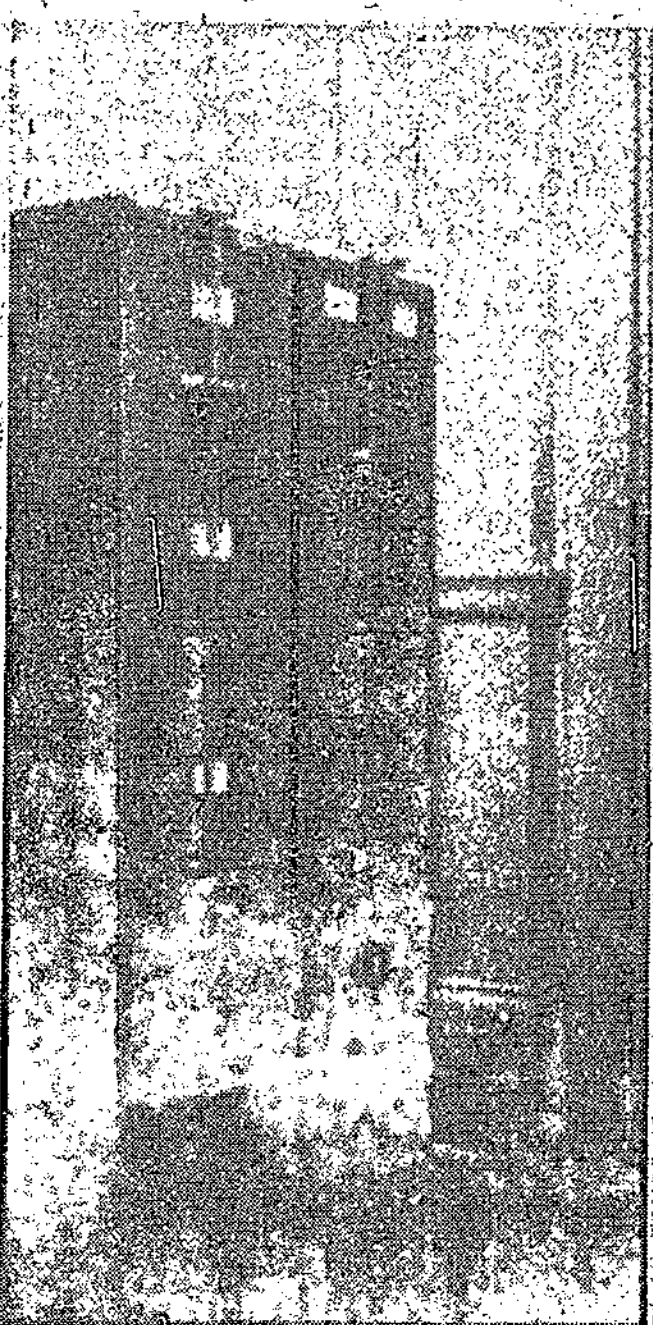
Banister said that a regulation put out by Supt. Dayries Saturday places the department's public information officer above "every other member of the department except the superintendent."

He quoted the regulation:

"A member shall not publicly publish, or cause, or allow to be published, his statement concerning official business or law enforcement policy, without the prior approval of the superintendent of police."

"IT MEANS THAT he (the public information officer) actually dominates in shaping the policy of the department and if he wishes to do so, he can become superintendent in fact," Banister said.

Banister said that when he



BANISTER, PE 18, Col. 11

BANISTER SAYS
"files locked"

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TOP CLIPPING
 DATED 6/5/57
 FROM *New Orleans States*
 MARKED FILE AND INITIALED

JURY HIRES BANISTER

Guy Banister, dismissed Saturday as assistant police superintendent, today had a new post: unpaid special investigator for Orleans Parish Grand Jury. Announcement of his appointment came from grand jury foreman Marc Anthony as Banister left a grand jury session to make a speech before the general membership of the Young Men's Business Club. In the speech, Banister attacked administration of the police department, urged completion of lengthy unfinished police department graft probe and lashed out at top police brass.

EARLIER TODAY, Banister, led by Police Supt. Davries to climax of long-standing differences about the police probe their jobs, spent 40 minutes with the parish grand jury. He walked into the jury room at Criminal Courts Bldg. carrying a thick folder labeled "Alleged Fifth Amendment Police."

(Twelve New Orleans policemen have pleaded the fifth amendment before a federal grand jury probing police graft income on grounds answers to the jury's questions might tend to incriminate them.)

ANNOUNCEMENT OF Banister's new job with the parish grand jury came minutes after he left the jury room in prepared statements from both jury foreman Anthony and District Atty. Hubert, who last month refused to file criminal charges against Banister in a dispute between Banister and a French Quarter bartender.

The statements revealed Banister would work without pay. It was not immediately clear whether he would receive expense funds.

In the past, parish grand juries have paid investigators and also given them expense money.

ANTHONY, HANDED reporters this statement:

The Orleans Parish Grand Jury today accepted the offer of former assistant police superintendent Guy Banister to serve as special investigator for the grand jury without pay.

The acceptance of Mr. Banister's offer should in no way be construed as a reflection on the office of the district attorney, the police bureau of investigation or any other public official.

"We have felt for some time the need for the services of a trained investigator to assist in gathering information in certain cases, and Mr. Banister's offer provides a solution."

"We expect that Mr. Banister will be working in close cooperation with Dist. Atty. Hubert and his staff, as well as other

public agencies, federal as well as municipal.

BANISTER, SAID, Anthony will investigate specific cases assigned him. The jury has given Banister a broad explanation of what his duties will be, he added.

Asked if there were any pending cases for Banister to handle, Anthony said: "There may be."

AND FROM D. A. Hubert came this statement: "The district attorney's office will co-operate with the grand jury. The Police Bureau of Investigation and Mr. Banister and anyone else who has evidence to offer in every respect to the end that the proper administration of the criminal laws can be achieved. This has been our consistent policy in the past and it will continue."

(CONTINUED FROM PAGE 1)



GUY BANISTER before YMBC today

Police Department
New Orleans
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DATE 6/5/57
FROM *New Orleans States*
MARKED FILE AND INITIALS

obstacle of complete silence on the part of ranking police personnel, a form of loyalty that is not only criminal but positively obscene. The loyalty should be to the ideals of duty and service in law enforcement. Now they are taking the Fifth Amendment!"

He said that after the raid on the residence of lottery figure Lionel Dominguez in February, 1955, which resulted in the finding of a list of names of policemen and figures, "it was the duty of all police officers to come forward with any information they might have." But, he said, "none came forward."

Says 'Excuses Insulting'
Any single captain, he said, "could have played havoc with the organized graft system."

But all he received, he said, were "some of the weirdest excuses ever encountered, excuses that were insulting."

He said that on his firing Saturday, Dayries "promulgated" the following regulation:

"A member shall not publicly publish or cause or allow to be published, his statement concerning official business or law enforcement policy, without the prior approval of the superintendent of police."

Raps Police Department
Banister said this means the police public information officer outranks everyone except the superintendent.

"It is in the day-to-day operations and how the public reacts that policy is formed in New Orleans," he said.

"It works out actually," he said, "that you people do not have a police department. You have some independent duchies stitched together into a semblance of an organization by the flimsy threads of amiability, live and let live, and let's keep our uniforms neat."

In announcing Banister's appointment as a special investigator for the grand jury, juror foreman Marc Antony declared there is a "good probability" that the police investigation in-

te alleged graft would be reopened.

Antony said Banister appeared before the jury shortly before noon and will be assigned to specific cases at the next meeting of the jury, probably next Wednesday.

Banister will receive no salary and no expense money, Antony said, adding that Banister appeared before the jury at the jury's invitation Wednesday.

Antony, in a statement, said "The Orleans parish grand jury Wednesday accepted the offer of former assistant police superintendent Guy Banister to serve as special investigator for the grand jury without pay."

No Reflection Intended

"The acceptance of Mr. Banister's offer should in no way be construed as a reflection on the office of the district attorney, the police bureau of investigation or any other public officials."

"We have felt for some time the need for the services of a trained investigator to assist in gathering information in certain cases, and Mr. Banister's offer provides a solution."

"We expect that Mr. Banister will be working in close cooperation with District Attorney Leon D. Hubert and his staff, as well as other public agencies, federal as well as municipal."

District Attorney Hubert also issued a statement after the jury adjourned at 12:20 p. m. in which he stated:

Hubert Cites Policy

"The district attorney's office will co-operate with the grand jury, the police bureau of investigation, and Mr. Banister and anyone else who has evidence to offer in every respect to the end that the proper administration of the criminal laws can be achieved. This has been our consistent policy in the past and it will continue."

Dayries, at his weekly press conference Wednesday morning, issued a statement apparently anticipating reporters' questions:

"I have nothing to add relative to the dismissal of Guy Banister. As far as I am concerned, the matter is closed."

When asked if he would fill the vacancy which occurred when Banister was fired, Day-

ries said, "no comment at this time."

Says He Will Make Appointment

The superintendent added, however, "I will make the appointment (of a new assistant superintendent) on my own at the proper time if and when it is made," apparently implying that he, rather than Mayor Morrison, was the police department appointing official.

Dayries commented that he intends to be continually "streamlining" the police department, adding that he feels the command at the top is "too broad." He said he plans to consolidate the departmental units under fewer heads.

The grand jury returned a murder indictment against Clarence Brown, Negro, 3542 Desire pkwy. in the May 19 fatal shooting of Richard Smith, Negro, 3675 Desire pkwy.

The jury members appeared before Judge Bernard J. Bager, then adjourned subject to call.

DAYRIES SILENT ABOUT BANISTER

No Further Comment on Dismissal Action

Superintendent of police Provosty A. Dayries had no further comment to make Sunday on his dismissal of assistant superintendent Guy Banister.

Meanwhile, David McGuire Jr., city administrative officer, reported that Mayor deLesseps S. Morrison was expected to return to the city either June 9 or 10.

Banister said Saturday that Morrison was "my superior" and described him as the "highest police authority in his community." Morrison is traveling in the Near East.

The assistant superintendent was fired Saturday after refusing to accept the new duties as chief of staff of planning assigned him by Dayries.

Banister had been scheduled to resume his duties as assistant superintendent Saturday after a three-month suspension growing out of an alleged gun-drawing incident in a French Quarter bar.

Formerly he had been chief of staff for operations, duties that have since been assigned to Maj. Albert Blancher.

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John L.

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Banister Rejects Duty Cut, Asks— ‘Something To Hide?’ Requests Leave Until Mayor Returns June 11

Asst. Police Supt. W. Guy Banister refused to go back to work Saturday the day on which he was restored to duty after a lengthy suspension growing out of a French Quarter barroom incident.

He immediately issued a statement which touched off a controversy with his boss, Supt. Dayries, threatening to quit the department unless his powers are restored.

DAYRIES FRIDAY night had outlined Banister's duties on his return to work after a three-month suspension.

Banister, by order of Dayries, was given back his title but stripped of his previous powers.

Banister refused to accept the job on the terms outlined by Dayries and said he would take a leave of absence until Mayor Morrison returns June 11 and clarifies his position.

The Mayor currently is on a U.S. sponsored tour of the Middle East.

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F.B.I. - FBI'S

Statement Issued By Banister

This is the statement issued Saturday by Guy Banister.

The home rule charter of the city of New Orleans states that the mayor is the administrative head of the New Orleans Police Dept. I recognize him as the highest public authority in this community.

AFTER I had been cleared of some fatuous charges by the district attorney of Orleans Parish, the mayor—my superior—stated publicly in a television broadcast that I would return to the Police Dept. as the assistant superintendent.

Yesterday I received a communication from Mr. Daylies defining the duties that would be assigned to me on my return. Those are not the duties of an assistant superintendent of police anywhere.

The superintendent has informed me that my duties would consist only of research and planning, and that his secretary would succeed to the office of superintendent in his absence. The proposed assignment is preposterous.

VIOLENCE, CRIME and corruption surround him and the people of New Orleans. The public demand for protection now has reached the threat of vigilante action. Mothers of school children have formed picket lines to publicly stress their need of proper police action.

These are the desperation moves of a righteously outraged public against lawlessness, with which the police cannot cope.

Spokesmen for other groups (See STATEMENT, Pg. 6, Col. 2)

Statement

(CONTINUED FROM PAGE 1)

of the offended public hope for, and publicly demand reforms within the Police Dept. Mr. Daylies does not want the police probe continued by me—the people of New Orleans are entitled to know why.

The public, the district attorney, the grand jury and the mayor might well ask if he has something to hide.

THE PROPOSED desk assignment is untenable. It is work for a junior grade officer. I do not believe Mr. Daylies has the authority to spend public funds for my salary unless the people of New Orleans receive something better in return.

I do not believe the mayor of New Orleans will approve this assignment.

I have asked for a specification of my duties as assistant superintendent by competent authority.

I will take leave of absence until such time that authority has had an opportunity to have the duties of the assistant superintendent of police defined. At that time I will decide what my future course of action will be.

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duty as assistant to the superintendent.

Prior to that time, someone had broken in on the teletype circuit and typed out an anonymous message saying, "our good friend will be back again."

Banister appeared at police headquarters shortly before 7 a. m. and left the building at 8:35 a. m., on what he said was police business. He explained he will be on duty until his request for leave is acted upon.

THE LEAVE request was handed to Capt. Alvin Rankin, assistant supervisor of personnel for the police department. With the application, Banister left a copy of his statement he had given to the press.

Capt. Rankin returned to Banister his police identification card, which apparently had been taken from Banister after his suspension.

Banister also was handed a leather bound copy of the "New Orleans Police Department Code of Conduct."



At the right, he walks out of headquarters with his attorney, Guy Johnson. Supt. Dayries said later he would grant the leave.

Chronology Of Banister

This is the chronology of Asst. Supt. Banister's career with the New Orleans Police Dept.:

JAN. 10, 1955—Announcement of Banister's appointment to Police Dept. announced by Mayor Morrison.

JAN. 16, 1955—Banister sworn in as third-ranking man in department, supervisor of training and head of the Police Bureau of Investigation.

JUNE 15, 1955—Banister promoted to assistant superintendent as Joseph Scheuering retires and Col. Dayries is made superintendent.

JUNE 30, 1956—Banister broken as PBI head. "He will have no command" said Dayries, in announcing power stripping.

MARCH 1, 1957—"Gun" incident in French Quarter bar.

MARCH 3, 1957—Banister suspended, pending investigation of charges of misconduct.

JUNE 1, 1957—Suspension ended, Banister due back to work. Instead, he announces he is dissatisfied with reduced duties, threatens to quit. Takes leave of absence.



asked if Dayries had something to hide. Banister recalled that he had made a report more than two years ago in which he had declared that at least 98 New Orleans policemen were connected with a graft system.

Banister recalled in his statement that after he was cleared of the charges growing out of the Absinthe House incident, Mayor Morrison had stated publicly that he would be returned to the Police Dept. as assistant superintendent.

DAYRIES FRIDAY informed Banister that his duties would consist only of research and planning and that police secretary Blancher would become acting superintendent of police in his absence.

Prior to this time Banister had always served as acting police superintendent when Dayries was out of the city.

Banister declared that he had only one week's vacation in the last two years and that he believed he had accumulated some leave time.

All police were informed that Banister was back on the job in a teletype sent to all districts at 12:03 a. m. Friday. The teletype message said:

EFFECTIVE THIS date, Guy Banister has been restored to

IN AGAIN AND OUT AGAIN was the role played by Asst. Police Supt. W. Guy Banister as he was restored to active duty. At the left he is shown

entering his office. But he wasn't happy because his powers had been cut and in the center he signs a leave of absence request as Capt. Alvin Rankin

watches.

BANISTER SIGNED a formal application requesting leave from June 4 to June 12. He asked for leave at the next Tuesday because, he said, Dayries was not in his office Saturday and probably could not act on the request until Monday.

Dayries said Banister's leave request would be handled in the routine manner and that he would approve it Monday.

BANISTER IN his statement also asked whether Supt. Dayries in assigning him to research and planning instead of his old job as second in command of the Department had something to hide.

Banister said that "violence, crime and corruption surround him and the people of New Orleans" and "the public demand for protection has now reached the threat of vigilante

the leave of absence until Morrison spells out the duties and at that time I will decide what my future course of action will be.

SUPT. DAYRIES, reached at his home, said "I have no comment at this time."

"It is the first I have heard of it," Dayries declared.

"I do not have any communication from Mr. Banister. Until such time as I have I will have no comment."

Dayries said he doubted whether he would be in his office Saturday.

Meanwhile, Banister, who was suspended from the department early in March for allegedly threatening a bartender with a gun in the Old Absinthe House on Bourbon St., cooled his heels in his own office, waiting for a showdown with Dayries.

headquarters is only a few steps down the hall from Dayries. Banister appeared at headquarters (See BANISTER, Pg. 6, Col. 4)

Banister

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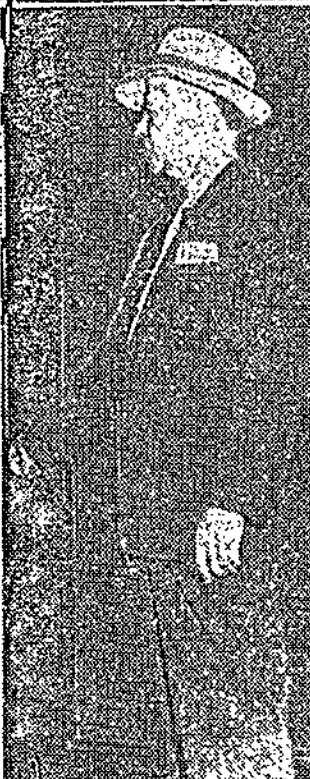
quarters shortly before 7 a. m., accompanied by his attorney, Guy Johnson. He immediately went to the press room in the building and handed reporters the 10-paragraph typewritten statement.

HE WAS dressed in a summer gray suit, with a red rose pinned to his lapel. He also wore a smart snap-brim Panama hat and his tooled leather gun belt, which was swung over his hips in a slanting, almost western fashion.

In his statement Banister charged that Supt. Dayries "does not want the police probe continued by me. It was then he

declared he would take BANISTER'S OFFICE

BANISTER IS DISMISSED FOR DEFIANCE--DAYRIES



Assistant Police Head Declines New Duties

Police Supt. Provosty A. Dayries Saturday dismissed assistant police superintendent GUY BANISTER from the New Orleans police department.

He said the dismissal was effective as of 2 p. m. Saturday. The dismissal, he said, was based upon his (Banister's) open defiance of the superintendent of police in a release publicized today (Saturday) by the press.

The dismissal followed on the heels of Banister's refusal early Saturday to accept his new duties as chief of staff for planning, while retaining the title assistant superintendent.

Says Mayor "My Superior Banister had said he would take a leave of absence until his duties were clarified by Mayor deLesseps S. Morrison, whom he described as "my superior" and the "highest police authority in the community."

Notified of his dismissal, Banister angrily struck back, and said he would report to the public on the true state of affairs in the police department, which he described as the worst he had encountered anywhere.

"Of course I am openly defiant," he said. "We've had a complete breakdown of law enforcement. I've been hampered and blocked in my efforts to correct this in my investigation."

"But my hands are free now, and I am going to report to the public and I have something to report. I haven't stopped working."

"Most Corrupt He Says "We have proved the existence of a graft system in the department, which is the most corrupt and inefficient police organization I have found anywhere. I haven't stopped working

"we'll still get the job done." Contacted later Saturday, Banister defined what he believed to be his position with respect to the police department.

"I didn't come to New Orleans to make a career," he said. "I was the outside man called in to do a job... like a doctor called in to operate on a sick patient. I'm not in the same position as someone else might be with respect to the police superintendent. I am not working for him (Dayries), but for the people of New Orleans."

Banister said he would keep the public advised as the situation develops.

Protested New Assignment Banister had been scheduled to resume his position Saturday as assistant police superintendent, from which he had been suspended for about three months following an alleged gun-drawing incident in a French Quarter barroom.

Prior to his suspension, Banister's duties had been that of chief of staff for operations. In the absence of Dayries, he had acted as head of the police department.

His new duties, Banister protested Saturday, would consist only of research and planning. The job called for such things as study of municipal and state laws for improving law enforcement, and study of police organization.

Banister at one time had charge of a police investigation into alleged graft operations within the department. He had indicated he felt the alleged graft

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AD

Dayries' Letter To Banister

This is the directive which Police Supt. Dayries sent to Asst. Supt. Guy Banister, outlining his future duties with the police department.

You are aware of my method of operational procedure assigning my two top assistants in a staff capacity without definite departmental command functions.

FOR SOME time I have felt the need for a full-time planning officer. I have decided herefore that effective June 1, 1957, I am assigning for your full-time duties, until further orders, the following projects:

1. A thorough study and analysis of ordinances in the City Code and others which have not yet been incorporated in this code, which deal with municipal offenses and which are the enforcement responsibility of the New Orleans Department of Police.

In order to accomplish this task, you will submit to the Superintendent through monthly reports, beginning June 30, 1957, any revisions, believed suitable and/or necessary.

THIS PROJECT should reach completion by Dec. 31, 1957. However, if more time is needed for study and analysis, it will be granted upon request.

2. A study and analysis of State Criminal Statutes, with a view of effecting the enactment of any new laws or the revision of present ones which will be necessary for efficient and total modern-day municipal law enforcement.

Revisions believed suitable and/or necessary will be submitted to the Superintendent in monthly report form, beginning June 30, 1957. This project should be completed by Sept. 1, 1957. (DAYRIES, Pg. 6, Col. 13)

Dayries

(CONTINUED FROM PAGE 1)
Dec. 31, 1957. However, if more time is needed, it will be granted upon request.

IN CONNECTION with items 1 and 2, it should be remembered that the Louisiana State Legislature will meet in regular session in May, 1958.

One factor which will be of prime importance is for the Department to seek a more adequate and effective holding statute, which will be comparable to those existing in other states and which allow full investigation of suspected criminals and their associates.

There are, undoubtedly, many other city and state laws which must be modernized. To my knowledge, the department has never kept its finger tightly on the pulse of constantly changing conditions which require the revision of existing laws or the enactment of new legislation.

3. Study on a perennial basis of the Department Manual of Procedure. This study should be founded on a comparison with manuals of other comparable cities. The manuals of these other cities may be readily obtained by writing for same. This should be supplementary to and in no wise affect or interfere with the present program which is in progress in writing of the Manual by the faculty of the Police Academy, rather, the thought is to enrich and contribute to what is presently being done by the academy staff and to systematically plan for needed revisions and additions for the future.

4. Prepare outlines and lesson plans for use in the Police Academy on (a) complete federal-municipal law enforcement relationship, and (b) the scope of the federal phase of law enforcement which must be understood by municipal police, and which may affect the mission of the municipal law enforcement officer.

COMPLETED DRAFTS, to be submitted to the office of the Superintendent for approval each month, starting June 30, 1957. These should be finally completed by Feb. 28, 1958. However, if more time is needed, it will be granted upon request.

5. Study and prepare (a) drafts of various suggested tables of organization and organizational charts, which might be considered adaptable by the New Orleans Department of Police, and (b) tables of equipment necessary to fit the needs of the personnel structures contained in such prepared tables.

This project is also one which must be performed on a perennial basis as it is contemplated that such tables cannot remain static. The first such table of organization and equipment will be submitted to the Superintendent for consideration by Oct. 31, 1957, and the second by Feb. 28, 1958 and periodically thereafter.

YOU SHOULD attend all regular Tuesday staff meetings at which time you may want to consult other members regarding their views on matters contained in the five above enumerated assignments.

The Secretary or Deputy Chief, as my Chief of Staff for Operations, will continue to direct all staff and other conferences and will also routinely act

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BANISTER FIRED BY DAYRIES

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drawing incident in the French Quarter bar had been a frameup to discredit him and the investigation.

Covered In Memorandum

Dayries said he had no immediate comment to make on the statement issued earlier by Banister, except to reaffirm his stand on the duties he had outlined earlier for Banister.

"Everything was covered in my memorandum Friday on Mr. Banister's duties," Dayries said. "I am acting in accord with the authority and responsibility vested in me by the home rule charter."

In his statement early Saturday, Banister had said, "the home rule charter of the city of New Orleans states that the mayor is the administrative head of the New Orleans police department. I recognize him as the highest police authority in the community."

"After I had been cleared of some fatuous charges by the district attorney of Orleans parish, the mayor—my superior—stated publicly in a television broadcast that I would return to the police department as assistant superintendent."

"Yesterday I received a communication from Mr. Dayries defining the duties that would be assigned to me on my return. Those are not the duties of an assistant superintendent of police anywhere."

Charges Corruption

"The superintendent has informed me that my duties would consist only of research and planning, and that his secretary would succeed to the office of superintendent in his absence. The proposed assignment is preposterous. Violence, crime and corrup-

tion surrounds him and the people of New Orleans. The public demand for protection now has reached the threat of vigilante action."

"Mothers of school children have formed picket lines to publicly stress their need of proper police action. These are the desperation moves of a righteously outraged public against lawlessness with which the police can cope."

"Spokesmen for other groups of the offended public hope for, and publicly demand reforms within the police department. Mr. Dayries does not want the police probe continued by me. The people of New Orleans are entitled to know why."

"The public, the district attorney, the grand jury and the mayor might well ask if he has something to hide."

Says Job 'Untenable'

"The proposed desk assignment is untenable. It is work for a junior grade officer. I do not believe Mr. Dayries has the authority to spend public funds for my salary unless the people of New Orleans receive something better in return. I do not believe that the mayor of New Orleans will approve this assignment."

"I have asked for a specification of my duties as assistant superintendent by competent authority."

"I will take leave of absence until such time that authority has had an opportunity to have the duties of the assistant superintendent defined. At that time I will decide what my future course of action will be."

Mayor Morrison is currently traveling abroad, and it was not immediately determined when he would return.

BANISTER BACK ON DUTY TODAY

To Be Full-Time Planning Officer, Says Dayries

Suspended assistant police Sgt. Guy Banister will return to duty Saturday as a full-time planning officer for the department, Supt. Provosty A. Dayries said Friday night.

The new assignment strips Banister of the administrative powers of assistant superintendent and relegates him to assistant to the superintendent and chief of staff for planning.

Before his suspension three months ago for an alleged gun-awing incident in a French quarter bar, he was chief of staff for operations and acted as head of the department when Dayries was absent. Maj. Albert Blancher is now chief of staff for operations and will be acting supervisor in the absence of Dayries.

In a directive to Banister Friday night, Dayries told him his duties will be to:

1. Conduct a thorough study and analysis of present and upcoming city ordinances which deal with municipal offenses and which are the enforcement responsibility of the department.
 2. Conduct a study and analysis of state criminal statutes with view to effecting the enactment of any new laws or the revision of present laws necessary for efficient, modern-day municipal law enforcement.
 3. Study on a "perennial basis" the department's manual procedure.
 4. Prepare outlines and lesson plans for use in the police academy on complete federal-municipal law enforcement relationship and the scope of the federal phase of law enforcement as applied to municipal enforcement.
 5. Study and prepare drafts of suggested tables of organization and organizational charts which might be adaptable to the department and tables of equipment necessary to fit the needs of the suggested personnel structure.
- Dayries set June 30, as the

deadline for Banister's first report on the study of city ordinances, the analysis of state criminal statutes, the study of the manual of procedure and the outlines and lesson plans for the police academy. He told Banister to submit to him the first table of organization and equipment by Oct. 31. The tables must be submitted on a perennial basis, Dayries said.

"You should attend all regular Tuesday staff meetings at which time you may want to consult with members regarding their views on matters contained in the enumerated assignments," Dayries wrote Banister.

"The secretary or deputy chief, as my chief of staff for operations, will continue to direct all staff and other conferences and will also routinely act as head of the department in my absence.

"As assistant to the superintendent, you will be my chief of staff for planning and from time to time will be called upon by me to perform special and particular assignments requiring top level supervision."

Dayries said he considers the assignments given to Banister "of top importance in my plans for the continued improvement of operations" of the department.

He suggested that Banister seek a more adequate "holding" statute in the Legislature which will allow full investigation of suspected criminals and their associates.

"There are undoubtedly many other city and state laws which must be modernized," Dayries wrote. "To my knowledge, the department has never kept its finger tightly on the pulse of constantly changing conditions which require the revision of existing laws or the enactment of new legislation."

Dayries earlier in the day said that during recent inspections of district stations, he told the men under his command there is no truth to rumors that he plans to resign.

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Says New

Duties

Preposterous

BANISTER

SPURNS JOB

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GUY BANISTER
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Takes Slap At Dayries; Asks Leave

Suspended assistant police Supt. Guy Banister, due to report back to work today, angrily rejected his new assignment as planning director for the department, and announced he would take a leave of absence until Mayor Chep Morrison rules on his duties.

Banister called his assignment as chief of staff for planning preposterous, untenable, and the type of work for a junior grade officer.

Banister blasted Dayries, who spelled out Banister's new duties in a statement yesterday, does not have the authority to spend public funds for my salary, unless the people of New Orleans receive something better in return.

Banister makes \$800 a month as assistant superintendent, and along with Dayries, whose salary is \$933.32 a month, receives an additional \$16.66 a month from the state as supplementary pay.

As planning officer, Banister would have no administrative powers and would not become acting superintendent in Dayries' absence. That authority, Dayries said, would be delegated to police secretary Albert P. Blancher. Dayries had ordered Banister to study city and state laws, police regulations, and to submit reports aimed at improving law enforcement in the city. Suspended in March.

Those are not the duties of an assistant superintendent of police anywhere, said Banister today at police headquarters. Banister was suspended in March following a barroom dis-



GUY BANISTER opened his office today but didn't stay long.

turbance in the French Quarter. The district attorney refused to accept charges against him.

Banister said he does not think Mayor Morrison, who is in the Middle East, will approve this assignment. After I had been cleared of some fatuous charges by the district attorney of Orleans parish, the mayor—my superior—stated publicly in a television broadcast that I would return to the police department as the assistant superintendent, Banister said.

Leave of Absence
I will take leave of absence until such time that (the mayor) has had an opportunity to have the duties of the assistant superintendent of police defined.

At that time, he added, he



PROVOSTY DAYRIES

Banister—

would decide what course of action he will take.

Early in April, Dayries said that Banister would not return to the department as second in command.

At that time, he said, I am not prepared today to say what Mr. Banister's duties will be when he returns, but they will definitely not be assistant superintendent.

He added that, You must remember that I wanted to fire Banister.

Morrison, however, overruled Dayries.

Today, Banister filed his request for an eight-day leave of absence to begin Tuesday. The request must be granted by Dayries.

Dayries today declined to comment on Banister's action.

I haven't made up my mind what I'll do, Dayries said. I may go out of town today. I usually work at home on Saturday.

I have not heard from Mr. Banister as yet, he said.

Of Top Importance

In his directive to Banister, Dayries said he considered the office of chief of staff for planning of top importance in my plans for the continued improvement of operations of the department.

As assistant to the superintendent, you will be my chief of staff for planning, and from time to time will be called upon by me to perform special and particular assignments requiring top level supervision.

The secretary, or deputy chief (Blancher), as my chief of staff for operations, will continue to direct all staff and other conferences, and will also routinely act as head of the department in my absence.

Following is the text of Banister's statement:

The Home Rule Charter of the city of New Orleans states that the mayor is the administrative head of the New Orleans police department. I recognize him as the highest police authority in this community.

After I had been cleared of some fatuous charges by the district attorney of Orleans parish, the mayor—my superior—stated publicly in a television broadcast that

would return to the police department as the assistant superintendent.

Yesterday I received a communication from Mr. Dayries defining the duties that would be assigned me on my return. Those are not the duties of an assistant superintendent of police, anywhere.

The superintendent has informed me that my duties would consist only of research and planning, and that his secretary would succeed to the office of superintendent in his absence. The proposed assignment is preposterous. Violence, crime and corruption surrounds him and the people of New Orleans. The public demand for protection now has reached the threat of vigilante action. Mothers of school children have formed picket lines to publicly stress their need of proper police action. These are the desperation moves of a righteously outraged public against lawlessness with which the police cannot cope.

Spokesmen for other groups of the offended public hope for and publicly demand reforms within the police department. Mr. Dayries does not want the police probe continued, by me—the people of New Orleans are entitled to know why.

The public, the district attorney, the grand jury and the mayor might well ask if he has something to hide.

The proposed desk assignment is untenable. It is work for a junior grade officer. I do not believe Mr. Dayries has the authority to spend public funds for my salary unless the people of New Orleans receive something better in return. I do not believe that the mayor of New Orleans will approve this assignment.

I have asked for a specification of my duties as assistant superintendent by competent authority.

I will take leave of absence until such time that authority has had an opportunity to have the duties of the assistant superintendent of police defined. At that time I will decide what my future course of action will be.

Police Situation Reflects on Mayor

Administratively, Mayor Morrison shows up poorly in the police department graft revelations of this week.

He cannot escape blame for NOT having insisted that either the rolls of the department or the accusations against the men on those rolls be cleaned up.

Instead, for at least a year the department has been staffed by dozens of men—protectors of the public—who were charged in statements in the department files with specific participation in graft activities.

These statements were contained in the files of the police bureau of investigation available to the mayor, the superintendent of police, the district attorney and the grand jury, but not—until this week—the public.

The history leading up to the collection of those files and the lack of their use sheds no glory on Mayor Morrison, who has always maintained that the police department is his own special responsibility.

It was action by the old commission council, back in 1953, that initiated the gathering of material which ultimately provided much of the basis for the FBI files.

The old council, in the words of former Commissioner A. Brown Moore, felt that it bore an "administrative responsibility for the city of New Orleans" and in the exercise of that responsibility set up machinery for a disinterested investigation of the police department.

The council called on recognized agencies to have representative an investigating organ which be-

came known as the three-man Special Citizens Investigating Committee (SCIC). The committee began public hearings in the latter part of November, 1953, after appointing Aaron M. Kohn chief investigator.

Testifying at the first day of the hearing Mayor Morrison told Mr. Kohn:

"Obviously, your supposition of a system of graft cannot be a fact. There couldn't be such a system without the knowledge of some of us."

When the hearings by the committee were stopped by court injunction, the council itself managed to continue them. The hearings ended in January, 1954.

The SCIC completed its report in April, 1954. Its No. 1 recommendation was that Joseph L. Scheuering, then superintendent of police, be replaced.

When the mayor took office for a new term in May, 1954, he named



Kohn

Scheuering acting superintendent. Eight months later, in January, 1955, Morrison ended the acting status, restoring full title.

In the months following publication of the SCIC recommendations, material gathered through the investigation was studied by grand juries. In March, 1955, the grand jury decided it did not think the report held enough evidence to warrant indictments.

Meanwhile, Kohn had been hired as executive director of the Metropolitan Crime Commission.

In the course of the grand jury inquiries, Kohn refused to tell the jurors the name of an informant who had supplied him with confidential information. Because of

file

CARL CORBIN, EDITOR
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that refusal Kohn was sentenced to serve 10 days in Parish Prison for contempt of court.

At the time he was in prison, a mass meeting of citizens was held in front of the City Hall, to demonstrate sympathy for Kohn and to express a determination to have the investigation of the police department begun by the SCIC carried through to a logical conclusion.

Early in 1955, amid pressure for a continuation of the investigation, Mayor Morrison created within the police department an agency to do the job. It was called the Police Bureau of Investigation (PBI). Guy Banister was placed in charge.

"He has not been told or limited in any way what he will investigate, nor will he be told," Mayor Morrison said in March, 1955.

Discovery of a list of policemen's names at the home of a lottery operator, Lionel Dominguez, spurred renewed efforts into the investigation of police corruption.

Scheuring resigned early in May, 1955.

He was succeeded by Col. Dayries. Banister became assistant superintendent.

"If there is anything wrong with the police department, you can blame me," Mayor Morrison told the New Orleans Ministerial Union on Feb. 7, 1955.

"I do not wish to blame anything on anyone else than myself," he continued.

"I will not shirk or dodge my responsibility. If I am wrong, I will admit my error."

In August, 1955, the mayor divested Banister of his power to suspend members of the police department and made it plain that Banister was to be responsible to Dayries.

council on December 29, 1955, said he had found that an organized system of graft had been operating until approximately the middle of 1955. He said he had obtained signed statements implicating 91 policemen.

Dayries corroborated this information.

Banister also gave an endorsement to the SCIC report that had been compiled two years previously, agreeing that it was a fair appraisal of the true condition of the police department.



Six months later, on June 27, 1956, Mayor Morrison issued a statement which began:

"With the concurrence of the police superintendent and district attorney, we are bringing the five and a half year police investigation to a close."

"This action," he continued, "is also in conformity with the wishes of the city council."

"As appears from the statement of the district attorney, all pending items have been completely processed and finished."

In an accompanying statement District Attorney Leon Hubert said that "from the standpoint of the district attorney's office, no further action is indicated."

Did Banister concur in the closing of the investigation? No comment from him was authorized by his superiors.

A month later he was transferred out of the PBI into a less significant job.

In March of this year Banister was suspended from the police force for alleged misconduct in a French Quarter bar.

On June 1 he was fired by Day-

ries for refusing to accept the job to which Dayries assigned him at the end of his suspension.

Meanwhile, for approximately a year, the PBI files which Banister had compiled were gathering dust.

No action was being taken on the statements charging dozens of policemen with participation in graft.

The accused stayed on their jobs and the statements accusing them stayed locked in the files.

Mayor Morrison should not have been a party to that kind of administration.

Banister in a report to the city

BANIS

TER

'TO SPILL'

J. J. Lyons

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POLICE DEPARTMENT
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BEFORE

GRAND

JURY

'Hot' Facts On Graft Hinted

Fired Asst. Police Supt. Guy Banister will go before the Grand Jury tomorrow—at his own request—to present “very, very important” information, it was learned today.

And District Attorney Leon Hubert said today that he will ask the grand jury if it wants to reopen the investigation into police graft as a result of the startling revelations of the past two days.

BANISTER OFFICIALLY is the chief investigator of the Orleans Parish Grand Jury but was hired only to investigate an alleged beating of two theft suspects by police.

At the time, however, he was authorized to give the jury any information he thought it should have.

His appearance tomorrow, it is reported, will deal exclusively with information about the alleged graft system within the police department.

GRAND JURY foreman Marc Antony today said “it is very likely” the jury will discuss tomorrow calling in the 13 policemen and former policemen whose testimony before the Police Bureau of Investigation was made public yesterday.

He said “that is something I cannot comment on ~~any~~ further” until the discussion is held.

Antony said that the jury was going ahead with its plans to hear the so-called 12 “Fifth Amendment” policemen when it sits tomorrow. Seven of the officers since have said they would now talk to the Federal Grand Jury.

ANTONY POINTED out the plans to hear the 12 were made even before the sensational. (See HUBERT, Pg. 4, Col. 6)

Hubert

(CONTINUED FROM PAGE 1)
statements on police graft were disclosed yesterday.

Hubert said today, "if the the Grand Jury wants to reconsider the matter I'll go along with it."

"I have told every grand jury the same thing," he added.

A former grand jury studied the evidence, which now is coming out of a city Civil Service Commission hearing, but did not take action against any of the policemen named as participants in an organized graft system.

The graft testimony was taken by Police Bureau of Investigation probers in numerous sessions with various policemen who admitted they were involved in an organized graft system. It was made public for the first time Tuesday when introduced into the record, as fired Police Capt. Edwin Sbisal asked the civil service commission to restore his job.

Yesterday Hubert revealed that one year ago today he presented rough drafts of graft indictments based on PBI reports against a number of police officers to the grand jury headed by Wiley Mossy.

TODAY, HUBERT said, "it is a matter of opinion whether these cases have prescribed."

"The law says cases of this type prescribe one year from the date they are 'made known' to the district attorney, the grand jury, or a judge. But words 'made known' are the key words.

"Each case depends on the facts of that case," he said, "and you cannot generalize with respect to prescription. 'Made known' is subject to many interpretations regarding the exact makeup of a case when it is made known."

Hubert then made reference to his experience in a court case against former Police Capt. Sbisal.

HE SAID that in the Sbisal case, Criminal District Judge O'Hara ruled that prescription had set in one year after the district attorney received information contained in reports of the Special Citizens Investigating Committee.

The state supreme court, however, overruled O'Hara and Sbisal went to trial.

This case, he said, shows that prescription is not an automatic process and each case must be judged on its own factors.

Hubert said that every grand jury in recent years has been brought up to date on progress of the police probe through hearing testimony by Police Supt. Dayries, Aaron Kohn, managing director of the Metropolitan Crime Commission, former Asst. Supt. Banister and members of the preceding grand jury.

HUBERT SAID that "a great deal of the information has appeared in the newspapers this week about the investigation, but everything except the Reuther and Brown testimony, has been already in open court."

He was asked if he considered the new information sufficient to reopen the police probe.

Hubert said, "I'll leave that up to the grand jury." If the jury wants to reopen the investigation, said Hubert, he was prepared "to follow through."

HUBERT SAID yesterday that possible action against the persons who allegedly paid graft to police officers would also be up to the grand jury.

He said that approximately 350 persons had been summoned by grand juries through the Wiley Mossy jury in connection with the probe.

However, Hubert said, no new evidence has been presented either to his office or to the grand jury since June 20, 1956, when he presented the first draft indictments against Third and Fifth District captains to the Mossy jury.

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